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LEGISLATIVE HISTORY

Public Law 306--81st Congress

Chapter 582--1st Session

H. R. 3829

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EDUCATION PAYMENTS. Provides assistance for local school agencies in providing educational opportunities for children residing on federal reservations or other federally-owned property, and in school districts overburdened with defense-incurred school enrollments.

INDEX AND SUMMARY OF HISTORY OF H. R. 3829

March 25, 1949	H. R. 3829 was introduced by Rep. Wier and was referred to the House Committee on Education and Labor. Print of the bill as introduced.
July 20, 1949	House Committee reported H. R. 3829 with amendments. House Report 1085. Print of the bill as reported.
July 21, 1949	House Rules Committee reported H. Res. 292 for the consideration of H. R. 3829. Print of the resolution.
July 25, 1949	House Committee made supplemental report. House Report 1085, Pt. 2.
July 27, 1949	House debated and passed H. R. 3829 as reported.
July 28, 1949	Print of H. R. 3829 as referred to the Senate Committee on Labor and Public Welfare.
August 17, 1949	Senate Committee reported H. R. 3829 without amendment. Senate Report 929. Print of the bill as reported.
August 27, 1949	Senate discussed and passed H. R. 3829 as reported.
September 10, 1949	Approved. Public Law 306.

81ST CONGRESS
1ST SESSION

H. R. 3829

IN THE HOUSE OF REPRESENTATIVES

MARCH 25, 1949

Mr. WIER introduced the following bill; which was referred to the Committee on Education and Labor

A BILL

To provide assistance to certain local school agencies overburdened with war-incurred enrollments where such agencies received similar assistance during any prior fiscal year.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the first section of the Act entitled "An Act to pro-
4 vide assistance to certain local school agencies overbur-
5 dened with war-incurred, or postwar national-defense-incur-
6 red, enrollments", approved June 29, 1948 (Public Law
7 839 of the Eightieth Congress), is hereby amended to read
8 as follows:

9 "That the Federal Works Administrator is authorized
10 to make, in the same manner as heretofore authorized, during

1 the fiscal year ending June 30, 1949, contributions for
2 the operation and maintenance of school facilities to local
3 school agencies requiring assistance that (a) are still over-
4 burdened with school enrollments caused by war activities
5 and the transition from war to peacetime conditions and have
6 received during the fiscal year ending June 30, 1948, or
7 during any prior fiscal year, Federal contributions admin-
8 istered by the Federal Works Administrator for the oper-
9 ation and maintenance of their school facilities, or (b) have
10 become overburdened with defense-incurred school enroll-
11 ments as the result of the reactivation or expansion of any
12 defense establishment or the operation of any new defense
13 establishment."

A BILL

To provide assistance to certain local school agencies overburdened with war-incurred enrollments where such agencies received similar assistance during any prior fiscal year.

By Mr. WIER

MARCH 25, 1949

Referred to the Committee on Education and Labor

81ST CONGRESS
1ST SESSION

H R 3829

81ST CONGRESS } HOUSE OF REPRESENTATIVES { REPORT
1st Session } No. 1085

PROVIDING ASSISTANCE FOR LOCAL SCHOOL AGENCIES ON FEDERAL RESERVATIONS OR IN DEFENSE AREAS

JULY 20, 1949.—Committed to the Committee of the Whole House on the State
of the Union and ordered to be printed

Mr. LESINSKI, from the Committee on Education and Labor, sub-
mitted the following

REPORT

[To accompany H. R. 3829]

The Committee on Education and Labor, to whom was referred the
bill (H. R. 3829) to provide assistance to certain local school agencies
overburdened with war-incurred enrollments where such agencies
receive similar assistance during any prior fiscal year, having consid-
ered the same, report favorably thereon with amendments and recom-
mend that the bill as so amended do pass.

The amendments are as follows:

(a) Strike out all after the enacting clause and insert the following:

That in order to assist local school agencies in providing educational opportunities
for children residing (a) on Federal reservations or on other federally owned
property, or (b) within the boundaries of local school agencies overburdened
financially by defense-incurred school enrollments or reductions in the school
revenues resulting from the acquisition or ownership of land by the United States,
the Federal Works Administrator is authorized to make contributions to such
local school agencies for the operation and maintenance of their school facilities
as provided in this Act.

SEC. 2. The total contributions for any school year to any local school agency
overburdened financially by a defense-incurred school enrollment or reductions
in school revenues caused by the acquisition or ownership of land by the United
States shall not exceed the actual deficit, as determined by said Administrator
that without such contribution would be incurred in such school year by the local
school agency in the operation and maintenance of its school facilities: *Provided,*
however, That in determining such deficit the said Administrator shall take into
consideration the total income of the local school agency actually available for the
maintenance and operation of its school facilities in such school year and the total
costs incurred by the local school agency in such school year for the maintenance
and operation of its school facilities.

SEC. 3. There is hereby authorized to be appropriated for each of the fiscal
years ending June 30, 1950, and June 30, 1951, \$10,000,000 to carry out the pur-
poses of this Act.

SEC. 4. In the administration of this Act, no department, agency, officer, or
employee of the United States shall exercise any supervision, direction, or con-

trol over the personnel, curriculum, or program of instruction of any school, local school agency, or school system of any State.

Sec. 5. The said Administrator is authorized to prescribe such rules and regulations as may be necessary to carry out the provisions of this Act, and to make payments in advance, or in any other manner deemed necessary to accomplish the objectives of this Act.

Sec. 6. As used in this Act, the term "local school agency" means any public school district, county, city, town, political subdivision, public agency, or State agency operating and maintaining public school facilities; the term "State" means any State, Alaska, Hawaii, Puerto Rico, or the Virgin Islands.

(b) Amend the title so as to read:

A bill to provide assistance for local school agencies in providing educational opportunities for children on Federal reservations or in defense areas, and for other purposes.

HISTORY OF LEGISLATION

During the period beginning in the fall of 1940 and ending on June 30, 1946, Federal funds were made available by Congress under the Lanham Act for assistance in construction and maintenance and operation of community facilities including school facilities in war-congested areas where those facilities were needed in order that national-defense or war activities would not be impeded. After the surrender of Japan the Federal Works Agency notified the communities concerned that since the primary purpose of the program was to aid in prosecution of the war, it was intended to terminate this Federal-assistance program as rapidly as possible but in no event would it be continued beyond June 30, 1946. Federal assistance for all types of community services, except the maintenance and operation of schools, was discontinued by that date.

It became evident during operation of this school-assistance program for the fiscal year ending June 30, 1946, that the war-caused problems of many of these school districts would remain critical beyond that time. Because of the housing shortage throughout the country generally war housing projects remained under Federal ownership and most of them continued to be occupied at capacity levels. Substantial amounts of other types of property remained under Federal ownership and the communities were deprived of tax income that otherwise would be obtained from it. Costs of providing school services were continually rising and although States provided increased State appropriations and the communities themselves increased their tax rates and assessments, it was evident that many of these school districts could not produce sufficient revenues to finance school services for the war-incurred population remaining in them.

As the result of these circumstances Congress passed the bill which became Public Law 452, amending the Lanham Act and authorizing the appropriation of \$7,000,000 to continue assistance for one more year to June 30, 1947, to those school districts that had received Federal help under this program the preceding year and were still in need.

In the operation of this assistance program during the 1947 fiscal year it again appeared that many of the problems which caused the need for Federal assistance still persisted in a number of communities and that a substantial number of these districts would continue to need Federal assistance during the 1948 fiscal year. Congress authorized continuation of the program for the 1948 fiscal year under

Public Law 317, Eightieth Congress, known as the Landis Act. This law authorized the appropriation of \$5,000,000 to assist those schools that had received assistance for maintenance and operation for the year ending June 30, 1947, and were still in need. A total of \$4,500,000 was appropriated to carry out the purposes of the authorization.

In the spring of 1948 officials from the affected school districts again presented information showing that there was still need for Federal assistance in their communities because many of the Federal activities that originally caused the need remained with the district. In addition, it appeared that the expanded defense program authorized by Congress would create a need in some additional school districts and would increase the problems in a number of the school districts that had received aid in the past. As a result of these circumstances the Congress authorized continuation of the program during the 1949 fiscal year under Public Law 839 which authorized the appropriation of \$6,000,000 to continue assistance to those school districts that had received Federal aid the preceding year and were still in need, and to those new school districts in need because of reactivation or expansion of existing defense installations or the operation of a new defense establishment. The full amount of the authorization was appropriated and this money was allotted to 147 school districts.

The committee met in executive session on June 28 and July 19 for the purpose of considering various bills on this general subject. During these meetings the following Congressmen appeared to urge the prompt enactment of legislation which would give relief to these distressed areas: Representatives Carl T. Curtis, Nebraska; Henderson Lanham, Georgia; W. M. Wheeler, Georgia; Compton I. White, Idaho; Edward H. Rees, Kansas; Thor C. Tollefson, Washington; A. S. Mike Monroney, Oklahoma; and Roy W. Wier, Minnesota.

In addition, the Honorable Cecil M. Harden of Indiana and Representative Harley O. Staggers of West Virginia were recorded as favoring this legislation. Officials of the Bureau of Community Facilities, General Services Administration, also appeared and gave information as to the need for continuation of this program.

NEED FOR THE LEGISLATION

The need for this continued Federal assistance is caused primarily by activities of the Federal Government. Most important is the increased number of children in the schools who came to these areas during the war and have remained there since the war, in many cases because they were unable to obtain housing facilities elsewhere. A substantial proportion of these are veterans' families. The 148 schools that received aid during the fiscal year just passed had 213,859 children enrolled in school the last normal year before the war impact. These schools had 350,336 children enrolled during the 1949 fiscal year, which was an increase of 136,477, or over 63 percent. These same schools expect an increase of approximately 30,000 additional children next year.

Much of this increased school enrollment occurs in areas where there is federally owned war housing that has not been disposed of to private ownership. In many of the same areas the Federal Government has acquired large tracts of land for air bases, industrial plants,

or other types of facilities, which reduces the amount of property within the school district that can be taxed for school purposes. With the increased school enrollment and removal of land from their tax rolls, these communities are unable to provide normal school services without Federal assistance.

Most of the communities have levied taxes to the legal limit set by the law. State funds have been increased very substantially in every case and the local communities are making every effort to provide normal school services without Federal assistance. Even after taxing property to the legal limit and receiving increased State aid, many of these schools could not operate longer than 5 or 6 months of the school year without assistance from the Federal Government. The burden imposed by the Federal activities described above is too great to carry without some Federal help.

In the administration of this program every effort has been made by the Federal Works Agency, now General Services Administration, to get the school districts in a position where they could finance their school programs without Federal assistance. Considerable progress has been made in this respect. Slightly over 400 school districts received help in the peak year during the war. That number has now been reduced to 147 school districts in the 1948 fiscal year. Of the 147 school districts that were aided in the fiscal year just ended, 27 were new to the program and were in need because of reactivated defense installations or operation of new defense establishments. The General Services Administration (formerly Federal Works Agency) estimates that those 147 schools will require about \$6,000,000 during the 1950 fiscal year which was approximately the same amount of assistance as they received during the 1948 fiscal year. The Bureau further estimates that there will be 25 to 30 additional school districts that will be in need during the 1950 fiscal year because of further expansion of defense installations and other Federal Government activities, and that they will require \$1,500,000; making an estimated total of approximately 175 school districts that will be in need of assistance during the 1950 fiscal year and that they will need an estimated total of \$7,500,000.

PURPOSE AND SCOPE OF THE BILL

Under the provisions of H. R. 3829, as amended by the committee, the General Services Administration is authorized to make contributions for the maintenance and operation of schools during the fiscal year ending June 30, 1950, to those local school agencies in providing school services for children residing on Federal reservations or other federally owned properties, or those school districts overburdened financially by defense-incurred school enrollments or by reductions in school revenues resulting from the acquisition or ownership of land by the United States. The bill further provides that the amount of Federal assistance for the school year to any school district be limited to the amount of the actual deficit in the school agency's maintenance and operation budget during the year. Your committee believes that these provisions are sufficient safeguards to assure that this Federal assistance will be made available only to those school districts where activities of the Federal Government have caused such a serious

financial burden that they cannot finance normal school programs with their own resources. The Federal assistance is necessary in order that the children living in these communities can have the benefits of a normal school program.

RAMSEYER RULE

The provisions of H. R. 3829 do not specifically amend any particular provision of the existing law; therefore, it is not necessary to comply with the requirements of clause 2a of rule XIII of the Rules of the House of Representatives.

CONCLUSIONS

Your committee is of the opinion that the proposed bill meets the need that was created in certain communities by activities of the Federal Government; that it is equitable in character, and that it restricts assistance only to those areas where the Federal Government has a responsibility. In brief, this proposed legislation continues for one more year a program that has been authorized during the past several years by Congress. Your committee has taken cognizance of the various bills proposed to provide a permanent method of meeting the needs in those areas where the Federal Government has caused the problem. Your committee feels that the objectives of such bills are sound, but that there is not sufficient information now available on which to base legislation that would establish a permanent method of meeting this need. A subcommittee has been appointed to study this problem at first hand, and to make specific recommendations to the full committee at the next session of Congress for a permanent program. For these reasons early enactment of this proposed legislation which continues this Federal assistance program on a temporary basis for one more year is recommended by the committee.



H. R. 3829

[Report No. 1085]

IN THE HOUSE OF REPRESENTATIVES

MARCH 25, 1949

Mr. WIER introduced the following bill; which was referred to the Committee on Education and Labor

JULY 20, 1949

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

A BILL

To provide assistance to certain local school agencies overburdened with war-incurred enrollments where such agencies received similar assistance during any prior fiscal year.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the first section of the Act entitled "~~An Act to pro-~~
4 vide assistance to certain local school agencies overbur-
5 dened with war-incurred, or postwar national-defense-incur-
6 red, enrollments", approved June 29, 1948 (Public Law
7 839 of the Eightieth Congress), is hereby amended to read
8 as follows:

9 "~~That the Federal Works Administrator is authorized~~
10 ~~to make, in the same manner as heretofore authorized, during~~

1 the fiscal year ending June 30, 1949, contributions for
2 the operation and maintenance of school facilities to local
3 school agencies requiring assistance that (a) are still over-
4 burdened with school enrollments caused by war activities
5 and the transition from war to peacetime conditions and have
6 received during the fiscal year ending June 30, 1948, or
7 during any prior fiscal year, Federal contributions admin-
8 istered by the Federal Works Administrator for the oper-
9 ation and maintenance of their school facilities, or (b) have
10 become overburdened with defense-incurred school enroll-
11 ments as the result of the reactivation or expansion of any
12 defense establishment or the operation of any new defense
13 establishment."

14 *That in order to assist local school agencies in providing*
15 *educational opportunities for children residing (a) on Fed-*
16 *eral reservations or on other federally owned property, or*
17 *(b) within the boundaries of local school agencies over-*
18 *burdened financially by defense-incurred school enrollments*
19 *or reductions in the school revenues resulting from the acqui-*
20 *sition or ownership of land by the United States, the General*
21 *Services Administrator is authorized to make contributions to*
22 *such local school agencies for the operation and maintenance*
23 *of their school facilities as provided in this Act.*

24 *SEC. 2. The total contributions for any school year to*
25 *any local school agency overburdened financially by a de-*

1 *fense-incurred school enrollment or reductions in school reve-*
2 *nues caused by the acquisition or ownership of land by the*
3 *United States shall not exceed the actual deficit, as deter-*
4 *mined by said Administrator that without such contribution*
5 *would be incurred in such school year by the local school*
6 *agency in the operation and maintenance of its school facili-*
7 *ties: Provided, however, That in determining such deficit*
8 *the said Administrator shall take into consideration the total*
9 *income of the local school agency actually available for the*
10 *maintenance and operation of its school facilities in such*
11 *school year and the total costs incurred by the local school*
12 *agency in such school year for the maintenance and opera-*
13 *tion of its school facilities.*

14 *SEC. 3. There is hereby authorized to be appropriated*
15 *for the fiscal year ending June 30, 1950, \$7,500,000 to carry*
16 *out the purposes of this Act.*

17 *SEC. 4. In the administration of this Act, no department,*
18 *agency, officer, or employee of the United States shall exer-*
19 *cise any supervision, direction, or control over the personnel,*
20 *curriculum, or program of instruction of any school, local*
21 *school agency, or school system of any State.*

22 *SEC. 5. The said Administrator is authorized to pre-*
23 *scribe such rules and regulations as may be necessary to*
24 *carry out the provisions of this Act, and to make payments*

1 *in advance, or in any other manner deemed necessary to*
2 *accomplish the objectives of this Act.*

3 *SEC. 6. As used in this Act, the term “local school*
4 *agency” means any public school district, county, city, town,*
5 *political subdivision, public agency, or State agency operating*
6 *and maintaining public school facilities; the term “State”*
7 *means any State, Alaska, Hawaii, Puerto Rico, or the Virgin*
8 *Islands.*

Amend the title so as to read: “A bill to provide assistance for local school agencies in providing educational opportunities for children on Federal reservations or in defense areas, and for other purposes.”

81ST CONGRESS
1ST SESSION

H. R. 3829

[Report No. 1085]

A BILL

To provide assistance to certain local school agencies overburdened with war-incurred enrollments where such agencies received similar assistance during any prior fiscal year.

By Mr. WIER

MARCH 25, 1949

Referred to the Committee on Education and Labor

JULY 20, 1949

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

CONSIDERATION OF H. R. 3829

JULY 21, 1949.—Referred to the House Calendar and ordered to be printed

Mr. McSWEENEY, from the Committee on Rules, submitted the following

REPORT

[To accompany H. Res. 292]

The Committee on Rules, having had under consideration House Resolution 292, report the same to the House with the recommendation that the resolution do pass.



House Calendar No. 112

81ST CONGRESS
1ST SESSION

H. RES. 292

[Report No. 1106]

IN THE HOUSE OF REPRESENTATIVES

JULY 21, 1949

Mr. McSWEENEY, from the Committee on Rules, reported the following resolution; which was referred to the House Calendar and ordered to be printed

RESOLUTION

1 *Resolved*, That immediately upon the adoption of this
2 resolution it shall be in order to move that the House resolve
3 itself into the Committee of the Whole House on the State
4 of the Union for the consideration of the bill (H. R. 3829)
5 to provide assistance for local school agencies in providing
6 educational opportunities for children on Federal reserva-
7 tions or in defense areas, and for other purposes. That after
8 general debate which shall be confined to the bill and continue
9 not to exceed one hour, to be equally divided and controlled
10 by the chairman and ranking minority member of the Com-
11 mittee on Education and Labor, the bill shall be read for
12 amendment under the five-minute rule. At the conclusion
13 of the consideration of the bill for amendment, the Com-

1 mittee shall rise and report the bill to the House with such
2 amendments as may have been adopted and the previous
3 question shall be considered as ordered on the bill and
4 amendments thereto to final passage without intervening
5 motion, except one motion to recommit.

81ST CONGRESS
1ST SESSION**H. RES. 292**

[Report No. 1106]

RESOLUTION

Providing for the consideration of the bill
(H. R. 3829) to provide assistance for local
school agencies in providing educational op-
portunities for children on Federal reserva-
tions or in defense areas, and for other pur-
poses.

By Mr. McSWENEY

JULY 21, 1949

Referred to the House Calendar and ordered to be
printed

PROVIDING ASSISTANCE FOR LOCAL SCHOOL AGENCIES
ON FEDERAL RESERVATIONS OR IN DEFENSE AREAS

JULY 25, 1949.—Ordered to be printed

Mr. LESINSKI, from the Committee on Education and Labor,
submitted the following

SUPPLEMENTAL REPORT

[To accompany H. R. 3829]

Report No. 1085, to accompany the bill H. R. 3829, indicated that an amendment had been added by the committee to authorize the sum of \$10,000,000 for each of the fiscal years ending June 30, 1950, and June 30, 1951, to carry out the program of providing assistance for certain local school agencies. These figures were printed through a clerical error and the correct figure should be an authorization of \$7,500,000 for the 1 year ending June 30, 1950.

For the information of the Members, the committee amendments are repeated in full.

(a) Strike out all after the enacting clause and insert the following:

That in order to assist local school agencies in providing educational opportunities for children residing (a) on Federal reservations or on other federally owned property, or (b) within the boundaries of local school agencies overburdened financially by defense-incurred school enrollments or reductions in the school revenues resulting from the acquisition or ownership of land by the United States, the General Services Administrator is authorized to make contributions to such local school agencies for the operation and maintenance of their school facilities as provided in this Act.

SEC. 2. The total contributions for any school year to any local school agency overburdened financially by a defense-incurred school enrollment or reductions in school revenues caused by the acquisition or ownership of land by the United States shall not exceed the actual deficit, as determined by said Administrator that without such contribution would be incurred in such school year by the local school agency in the operation and maintenance of its school facilities: *Provided, however,* That in determining such deficit the said Administrator shall take into consideration the total income of the local school agency actually available for the maintenance and operation of its school facilities in such school year and the total costs incurred by the local school agency in such school year for the maintenance and operation of its school facilities.

SEC. 3. There is hereby authorized to be appropriated for the fiscal year ending June 30, 1950, \$7,500,000 to carry out the purposes of this Act.

SEC. 4. In the administration of this Act, no department, agency, officer, or employee of the United States shall exercise any supervision, direction, or control over the personnel, curriculum, or program of instruction of any school, local school agency, or school system of any State.

SEC. 5. The said Administrator is authorized to prescribe such rules and regulations as may be necessary to carry out the provisions of this Act, and to make payments in advance, or in any other manner deemed necessary to accomplish the objectives of this Act.

SEC. 6. As used in this Act, the term "local school agency" means any public school district, county, city, town, political subdivision, public agency, or State agency operating and maintaining public school facilities; the term "State" means any State, Alaska, Hawaii, Puerto Rico, or the Virgin Islands.

(b) Amend the title so as to read:

A bill to provide assistance for local school agencies in providing educational opportunities for children on Federal reservations or in defense areas, and for other purposes.



State agency operating and maintaining public school facilities.

With these plain provisions appearing in the bill and with the Republican and Democratic Members of this great committee that has brought this legislation before Congress stating that Federal aid to schools can be had by localities where additional burdens have been placed upon the school districts by the Federal Government acquiring large bodies of lands for reforestation, public works, dams, flood control, and knowing that it will take care of the situation in my congressional district in Kentucky, I shall strongly support this measure.

In the Ninth Congressional District of Kentucky the Federal Government has acquired several thousand acres of the best farm land in four or five counties for flood control, and the Federal Government is now building the Wolf Creek Dam across Cumberland River. To give Members of Congress some conception of the huge proportions of this project, knowing that most of you are familiar with Norris Dam in the Tennessee Valley, I wish to say that Norris Dam is approximately 1,800 feet across while Wolf Creek Dam in my district of Kentucky is more than 5,000 feet across. This will create an inland body of water almost entirely in my congressional district more than 110 miles long and in many places in excess of 6 miles wide. It will cover up some of the best farm lands in Russell, Wayne, Clinton and Pulaski Counties. These lands will be removed from taxation. It has caused a great additional burden upon the school districts. Even though our people are taxed very heavily in Kentucky for school purposes, much above the average in the United States, we do not have sufficient remaining property to tax for school purposes to take care of our school children.

In addition to this, the Federal Government has acquired hundreds of thousands of acres in my district in the counties of McCreary, Whitley, Jackson, Clay, Bell, Harlan, and Rockcastle for reforestation purposes and for national parks. These lands have all been removed from State, local and school taxation.

I introduced in Congress a bill to provide that the Federal Government, when it takes land and property for public use, shall pay the tax equivalent back to the States, counties, and school districts. I think such legislation should be passed and I was called as the first witness before the great Committee on Public Lands of this Congress, and they are now considering that measure.

I find in the legislation under consideration that it is the belief of this great committee that brings forth H. R. 3829, that we are now debating, that where the Federal Government takes land and property for any purpose and thereby creates additional burdens upon schools because the tax revenues have been reduced, that it is the responsibility and the obligation of the Federal Government to replace those funds through Federal aid to the schools.

While this is a temporary measure for 1 year only, I strongly advocate that it should be made permanent. Furthermore, I think that more money than \$7,500,000 should be appropriated for this worthy purpose.

Because of all of these reasons, I urge my colleagues to vote favorably on this measure and I shall do so myself. It is my opinion that it will benefit many other localities and communities throughout America as it will my own congressional district, and I again urge all of my colleagues to vote for the passage of this legislation.

(Mr. GOLDEN asked and was given permission to revise and extend his remarks.)

Mr. McSWEENEY. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia [Mr. PRESTON].

Mr. PRESTON. Mr. Speaker, I fear that the sum of money set up in the bill is highly inadequate. My recollection is that under the Lanham Act there were approximately \$6,000,000 available for this program. This bill adds only \$1,500,000 to that amount. According to my construction of this bill, it opens the proposition to many areas that were not qualified under the provisions of the Lanham Act, and I think very properly so.

I can cite as an example a situation in the State of Georgia where the Government purchased 280,000 acres of land in one body, second only to the Louisiana Purchase in size. When this land was purchased they even took a half of a particular county—just cut it in half. That land is still owned by the Government, and they are using it for National Guard training only. It is not occupied by our Regular forces at all, but yet the Government has title to all this land. Certainly those people, where half of the county has been taken off the tax rolls, are entitled to some relief and, of course, they would come under the provisions of this bill.

I would like to ask the gentleman from Michigan, chairman of the committee, whether he contemplates that \$7,500,000 will anywhere near meet the needs of the various communities that will come under the provisions of this bill?

Mr. LESINSKI. The testimony shows that it will be enough, but we will make a study of the entire situation this fall, and I have already appointed a committee. We will see if we cannot combine all of the different affected school districts into one.

The SPEAKER. The time of the gentleman from Georgia [Mr. PRESTON] has expired.

Mr. HERTER. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts [Mr. NICHOLSON].

Mr. NICHOLSON. Mr. Speaker, I do not have any idea of trying to kill this bill this year, but I think we ought to make some study of this proposition. As I pointed out when I asked the gentleman from Ohio a question, Massachusetts, or the towns around these Army camps, have never received a cent. We kind of thought that it was our patriotic duty to educate the children of the soldiers or other people who may

have been employed in our districts in a wartime capacity, and we did it. But when I come here, as I did 2 years ago, and again last year, and all these bills come up and I find that some States are getting all the money and the others none, I think there is something wrong with the principle.

Mr. WHEELER. Mr. Speaker, will the gentleman yield?

Mr. NICHOLSON. I yield.

Mr. WHEELER. I wish to ask the gentleman whether the localities in his district have made application for relief, and also to remind him that the chairman of the committee has just advised the House that his committee intends to make a complete and thorough study of this situation this fall with a view of reporting back to the House at the end of that study something which will take care of the whole situation.

Mr. NICHOLSON. I agree that the study is an excellent thing. The only reason I wanted this time was to say that Massachusetts from 1775 to 1949 has done her share of taking care of the Federal Government to the best of her ability without asking for any handouts from the Federal Government or anybody else.

Mr. LESINSKI. The testimony shows that if a school district did not make an application naturally it would not get relief.

Mr. NICHOLSON. I do not think we did during wartime because we thought it was our duty to educate the children of the men who were in these camps fighting for us.

Mr. WHEELER. Mr. Speaker, will the gentleman yield?

Mr. NICHOLSON. I yield.

Mr. WHEELER. The gentleman just referred to this as a handout. Does the gentleman feel that when the Federal Government moves into a district and take an appreciable amount of the taxable property from the tax books and then makes payment in lieu thereof that it is a handout?

Mr. NICHOLSON. Such a transaction is not a handout.

Mr. WHEELER. That is exactly what this legislation proposes to do.

Mr. NICHOLSON. I do not see that it does.

Mr. HERTER. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. JOHNSON].

Mr. JOHNSON. Mr. Speaker, as the gentleman from California [Mr. MILLER] said, we face a very acute problem in California. In my district I now have 10 military, naval, and Air Force installations and many of our school districts are overburdened with the large number of Federal employees' children from these various military installations who are and must be educated by our school districts. Some of the districts are utterly helpless in trying to handle the financial problem involved in the situation. They have not the bonding capacity, they have not the taxing capacity to take care of the educational requirements of these children. The extra load which has been thrust upon them cannot be met. I therefore hope that this bill will pass and that we may work out some

permanent pattern later whereby the Federal Government will assume part of the financial responsibility of taking care of the children of military personnel in these various installations as long as they continue to have children who need education from our local California school districts. No group of public officials, in any layer of government, have done a finer job than our California school district trustees.

(Mr. JOHNSON asked and was given permission to revise and extend his remarks.)

Mr. McSWEENEY. Has the gentleman from Massachusetts any further requests for time?

Mr. HERTER. I have no further requests for time.

Mr. McSWEENEY. Mr. Speaker, I move the previous question on the resolution.

CALL OF THE HOUSE

Mr. SMITH of Wisconsin. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. The Chair will count. [After counting.] Does the gentleman insist on his point of order?

Mr. SMITH of Wisconsin. I do, Mr. Speaker.

The SPEAKER. A quorum is not present.

Mr. McSWEENEY. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 146]

Barden	Fogarty	Patterson
Barrett, Pa.	Ford	Perkins
Bates, Mass.	Gilmer	Pfeifer,
Bland	Goodwin	Joseph L.
Bolling	Gossett	Potter
Boykin	Green	Powell
Brehm	Gwinn	Price
Brooks	Hall,	Ramsay
Buckley, N. Y.	Leonard W.	Redden
Bulwinkle	Hardy	Reed, Ill.
Burnside	Harrison	Ribicoff
Byrne, N. Y.	Hedrick	Riehlman
Canfield	Heller	Rooney
Case, N. J.	Hoffman, Ill.	Scott, Hardie
Case, S. Dak.	Jennings	Scott,
Celler	Jensen	Hugh D., Jr.
Chatham	Kearney	Shafer
Chelf	Kilburn	Short
Clevenger	Kilday	Sikes
Cole, N. Y.	Lemke	Smathers
Corbett	Lichtenwalter	Smith, Ohio
Coudert	Lovre	Stanley
Cunningham	McGrath	Stigler
Davenport	McGregor	Taylor
Davies, N. Y.	McKinnon	Thomas, N. J.
Davis, Wis.	Macy	Thomas, Tex.
DeGraffenried	Marshall	Towe
D'Ewart	Mitchell	Vinson
Dingell	Morris	Vursell
Durham	Morton	Walter
Eaton	Murdock	Williams
Elston	Murphy	Withrow
Fallon	Murray, Tenn.	Wolcott
Fellows	O'Toole	
Fisher	Patten	

The SPEAKER. On this roll call 331 Members have answered to their names; a quorum is present.

By unanimous consent, further proceedings under the call were dispensed with.

COMMITTEE ON PUBLIC LANDS

Mr. PETERSON. Mr. Speaker, I ask unanimous consent that a subcommittee of the Committee on Public Lands may sit during the session of the House this afternoon during general debate.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

ASSISTANCE FOR LOCAL SCHOOL AGENCIES ON FEDERAL RESERVATIONS OR IN DEFENSE AREAS

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

Mr. LESINSKI. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 3829) to provide assistance to certain local school agencies overburdened with war-incurred enrollments where such agencies received similar assistance during any prior fiscal year.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 3829, with Mr. WORLEY in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Michigan [Mr. LESINSKI] is entitled to recognition for 30 minutes and the gentleman from Pennsylvania [Mr. McCONNELL] is entitled to recognition for 30 minutes.

Mr. LESINSKI. Mr. Chairman, I yield myself 7 minutes.

Mr. Chairman, it is the purpose of H. R. 3829 to assist local-school agencies in providing educational opportunities for children living (a) on Federal reservations or other federally owned property or (b) within the boundaries of local-school agencies overburdened financially by defense-incurred-school enrollments or reductions in the school revenues resulting from the ownership of land by the United States.

Under this bill, the General Services Administrator is authorized to make grants to such local school agencies for the operation and maintenance of their schools.

This bill would authorize the appropriation of \$7,500,000 for the fiscal year ending June 30, 1950.

During the period between 1940 and June 30, 1946, Federal funds were made available by Congress under the provisions of the Lanham Act to assist in the construction and maintenance and operation of school facilities in war-congested areas where they were needed, in order that war activities would not be hindered. In 1947, Congress amended the Lanham Act and authorized assistance to these schools for the fiscal year of 1947.

Again in 1948 Congress continued, on a temporary basis, to grant this assistance.

In 1948, evidence was submitted to Congress to show that some of these schools which had been receiving funds were still in need of assistance, and that due to the renewal of activity at certain defense installations or the operation of new defense plants, a few additional schools would be in need of assistance. For this purpose, Public Law 839 was

passed, authorizing an appropriation of \$6,000,000 for the fiscal year of 1949.

Your committee is convinced that there is a continued need for Federal assistance in this field. One hundred and forty-eight schools received aid during the last fiscal year, and it is estimated that there will be 25 or 30 additional school districts that will be in need during the coming fiscal year because of further expansion of defense installations and other Federal Government activities.

Your committee considered that \$6,000,000, the amount spent in fiscal 1949, will be necessary to take care of the same schools in fiscal 1950, and that an additional \$1,500,000 will be necessary to take care of the new school districts which it is anticipated will need help. These figures together make a total authorization of \$7,500,000.

Under the provisions of H. R. 3829, as amended by the committee, the General Services Administration is authorized to make contributions for the maintenance and operation of schools during the fiscal year ending June 30, 1950, to those local school agencies in providing school services for children residing on Federal reservation or other federally owned properties, or those school districts overburdened financially by defense-incurred school enrollments or by reductions in school revenues resulting from the acquisition or ownership of land by the United States. The bill further provides that the amount of Federal assistance for the school year to any school district be limited to the amount of the actual deficit in the school agency's maintenance and operation budget during the year. Your committee believes that these provisions are sufficient safeguards to assure that this Federal assistance will be made available only to those school districts where activities of the Federal Government have caused such a serious financial burden that they cannot finance normal school programs with their own resources. The Federal assistance is necessary in order that the children living in these communities can have the benefits of a normal school program.

The committee has considered the various bills proposed to provide a permanent method of meeting the needs in those areas where the Federal Government has caused the problem. The committee feels that the objectives of such bills are sound, but that there is not sufficient information now available on which to base legislation that would establish a permanent method of meeting this need. A subcommittee has been appointed to study this problem at first hand, and to make specific recommendations to the full committee at the next session of Congress for a permanent program.

This bill passed the committee by a vote of 24 to 1. I feel it is a meritorious one and I hope the bill will pass unanimously.

Mr. Chairman, I now yield 5 minutes to the gentleman from Minnesota [Mr. WIER].

Mr. WIER. Mr. Chairman, I do not know as I can add much to the many

comments that were made by about 20 Representatives here when the rule was being considered. From the observation of members of the Labor Committee, the situation is quite alike all around the country. There were about 15 bills introduced from various parts of the country dealing with this subject. A number of Members of the House appeared before the Committee on Labor and supported this legislation.

Mr. Chairman, I introduced a bill early in the session due to a very critical situation which existed just outside of Minneapolis and St. Paul, created in the early days of the war by the Government coming into consolidated school district No. 23 in Minnesota and taking out of that school district about five square miles of property. In my case, consolidated school district No. 23, which is about 12 to 15 miles outside of Minneapolis and St. Paul, found itself confronted in the early days of the war with the Federal Government coming in there and creating, erecting, and taking over property to the extent of about five square miles. At one time during the war that plant employed about 12,000 war workers. In addition to that, north of the plant just referred to, and up on the Mississippi River about 10 miles away, the Government came in and constructed a Navy installation known as the Northern Pump Co., employing about 5,000 people. Again they took out a hunk of about four square miles of taxable property, leaving the school district in a very critical financial condition.

Someone has mentioned here about these communities or the States taking care of the districts within the State or within the counties themselves. Someone has mentioned the millage proposition. Let me show you what this school district did in trying to meet the problem. They had a schoolhouse in that district that took care of about 40 to 50 pupils. Today there are close to 500 children seeking educational facilities from the school.

I have before me a report from the Federal Works Administration under Mr. Fleming at that time. This school district No. 23 has attempted to solve its own problem without Federal assistance, going beyond the average assessment of taxes. The tax levy in 1943 and 1944 was 47.6 mills, but that has increased to 180 mills in 1947 and 1948. Even considering the fact that there is a very low assessed valuation in this district, that is a real high tax levy. So no one here in Congress can point the finger to this school district in not doing its duty, and I do not think they can point the finger at a great many more school districts in our Nation and say they have not gone the limit in trying to provide for their own means of education.

In the final analysis let me say to you that those people were in hopes that they would not have this problem for some time. But in my case the Federal Government is maintaining the Twin Cities ordnance plant as a rehabilitation plant for transport facilities, so they have a large force employed there. The Northern Pump Co. is being maintained by the Navy as a storage depot.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. McCONNELL. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, I rise in support of this bill, H. R. 3829, which is to provide assistance to school districts in areas that have been congested due to defense activities. Now, let us see if we can cover the past history on this quickly.

Mr. Chairman, early in 1940, when this country had begun to gird for war, large segments of our population began to shift to certain areas where war workers were needed in the defense effort. Since available production facilities were not sufficient to meet the demands of national defense, new factories had to be built. Often these were in sparsely populated areas where there were not sufficient housing facilities to take care of the workers. To cope with this situation, the Government built temporary houses. The children of the workers living in these houses attended the existing schools in the area—which, of course, imposed an additional expense on the school district. Since the Federal Government owned the houses in which the new students lived, the school districts could not meet the added expense by the usual method of taxing the parents' property. It was obvious that the Federal Government had at least a moral obligation to help the school districts meet their new problem.

In the fall of 1940 Federal funds were given to these school districts under the Lanham Act. Since the primary purpose of the Lanham Act was to aid in the prosecution of the war, assistance to community facilities except schools under it was discontinued June 30, 1946. However, as most of us are unpleasantly aware, the war had not ended in 1946—the shooting had merely stopped. The cold war was blowing hot in some places—and defense activities continued. The problem of the schools in defense areas also continued.

In 1946, Congress provided \$7,000,000 to assist the schools until June 30, 1947. When that bill was passed we were told that the Government would dispose of the temporary houses—and that the occupants would move to taxable property. This, of course, would have made it possible for the school districts involved to meet the added expense of the increased number of students. Because of the housing shortage—the Government did not remove the temporary shelters. Another \$5,000,000 was authorized to assist the schools through June 30, 1948—but only \$4,500,000 was appropriated. But in 1948—the cold war still continued—so did defense activities—and so did the school-enrollment problem in defense areas. Another \$6,000,000 was authorized to carry the program through June 30 of this year. This bill would authorize \$7,500,000 in aid to the schools during the present fiscal year ending June 30, 1950.

The amount of Federal funds needed varies from year to year—depending upon the number of school districts in which population has increased because of defense projects. During the peak of the war, 400 school districts received

Federal funds—last year only 147 school districts needed the money. Next year, the General Services Administration estimates that approximately 175 school districts will need help from the Federal Government. The increase is due to further expansion of defense installations in 25 to 30 school districts during the past year.

This bill does not provide a hand-out to a favored few school districts. In determining what districts will receive Federal funds, the General Services Administration first looks to see what school districts are losing tax money because of the large amount of land and buildings the Government owns in the district. Second, it is ascertained whether there is enough taxable property in the school district to meet its financial needs. If it is decided that the school district actually needs the money—and that there is a moral duty on the Government to make up some of the deficit—then the school district may be eligible for funds.

As a matter of fact, most of the communities which would receive funds under this bill have levied taxes to the limit set by law. State funds have been increased substantially to help the local school districts meet their needs without Federal assistance—but still many schools have not sufficient money to operate more than 5 or 6 months a year. In view of these circumstances, I believe this bill should be passed.

Mr. BURDICK. Mr. Chairman, will the gentleman yield?

Mr. McCONNELL. I yield to the gentleman from North Dakota.

Mr. BURDICK. Would the provision of the present law cover a situation like we have in North Dakota where, in a congested Indian reservation, the Indian Department has gone out into the various counties and bought up Indian lands which were untaxed, and depleted the resources of the county?

Mr. McCONNELL. This bill would not cover that.

Mr. HOFFMAN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. McCONNELL. I yield.

Mr. HOFFMAN of Michigan. A somewhat similar situation exists with reference to temporary housing in the Fourth Michigan Congressional District. My question is, What if any move is being made to take care permanently of this school situation? Are we to have these people in the same localities permanently and their children educated at Federal expense? It is like the surplus property situation. We have not been able to get rid of surplus properties. Will there ever be an end to this program?

Mr. McCONNELL. If the gentleman will notice, we have limited this bill from 2 years to 1 year, and put a \$7,500,000 figure in the bill. Our thought is this: The present bill is purely a temporary extension measure. The chairman has already stated that the subcommittee which he has appointed will conduct a study of this entire program, which we hope will lead to legislation of a permanent nature in order to take care of this problem. As long as the defense activities of this country continue and as long

as large areas of a school district are not available for taxable purposes for the school district, I believe aid will have to be continued in some form.

Mr. HOFFMAN of Michigan. That is a move in the right direction and I congratulate the gentleman. This morning we heard some discussion about the continuation of the war. Now, if we continue to be at war, technically, that prevents our adjournment, I understand, and is this provision for the schools to run on indefinitely?

Mr. McCONNELL. I would say as long as we are committed to a high degree of defense activity in America due to world conditions we will need some type of assistance to school districts where the defense activities deprive them of the necessary revenue to handle increased enrollment.

Mr. HOFFMAN of Michigan. If Michigan's distinguished representatives in the other body are correct in their attitude toward foreign relations, this is not temporary at all, this will be permanent.

Mr. McCONNELL. It is likely to be permanent into the immediately foreseeable future. I would not want to guess at some indefinite time.

Mr. JOHNSON. Mr. Chairman, will the gentleman yield?

Mr. McCONNELL. I yield to the gentleman from California.

Mr. JOHNSON. As I understand it, this covers a situation such as I am thinking about that is repeated many times in my district, where no land was taken for defense purposes out of the area of the school district but, because of defense installations near there, the children of the servicemen and civilian employees in the defense establishments poured into that district, beyond the power of the little local district to raise enough taxes to take care of them. Is that correct?

Mr. McCONNELL. That is right.

Mr. JOHNSON. I wish to compliment the distinguished gentleman from Pennsylvania and the chairman and the rest of the members of the committee on bringing this bill out. We have a very acute and serious problem in my State along this line.

Mr. McCONNELL. I think it is only fair to point out again that most of the communities surveyed which we found were eligible for help were taxing themselves to the very limit of the law. Also, they were receiving substantial aid in many cases from the States in which they were located. However, in spite of that, there were many school districts which, if they did not receive this Federal aid, would not be able to operate for longer than 5 or 6 months of the school year.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. McCONNELL. I yield to the gentleman from New York.

Mr. KEATING. Knowing the way the gentleman thinks about problems of government, I feel sure he is as concerned as I am with the fact that this amount is, for the next year, \$7,500,000 as against \$6,000,000 the year before. In other words, is it going to increase in the future? Is that what we can expect?

Mr. McCONNELL. That is a difficult question to answer, because it would depend on the international situation. We have stepped up our defense efforts during the past year. The additional districts provided for are due to increased defense activities.

Mr. KEATING. They have actually added districts to which help is being given next year as compared to last year.

Mr. McCONNELL. That is correct. About 25 to 30 districts have been added over those that were in last year ending June 30, 1949.

Mr. LODGE. Mr. Chairman, will the gentleman yield?

Mr. McCONNELL. I yield.

Mr. LODGE. I would like to ask my good friend, the gentleman from Pennsylvania, whether or not it is a fact that the State of Connecticut has at no time received any aid under this act and that it is not anticipated that the State of Connecticut will receive any under the present legislation?

Mr. McCONNELL. I am not sure about that. Connecticut did not receive any aid during the past 2 years, but I do not know whether the State received any aid under the Lanham Act during the years 1940-46. If anyone knows the answer to that, I wish he would volunteer to give us that information. I do not know. But I do know that during the past 2 years Connecticut did not receive any aid. The States of Rhode Island and Maine are the only two States in New England during the past 2 years that received any aid under this type of legislation.

The CHAIRMAN. The time of the gentleman from Pennsylvania has again expired.

(Mr. McCONNELL asked and was given permission to revise and extend his remarks.)

[Mr. KENNEDY addressed the Committee. His remarks will appear hereafter in the Appendix.]

Mr. McCONNELL. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania [Mr. KEARNS].

(Mr. KEARNS asked and was given permission to revise and extend his remarks.)

Mr. KEARNS. Mr. Chairman, when I became a member of the Committee on Education and Labor I fully intended to join my colleague, Mr. Ellsworth L. Buck, and oppose this legislation for schools of this type throughout the United States. Having been an educator, I felt that the communities where these installations were involved could well readjust their programs to take care of the increased load.

I have personally conducted a very careful study and I, too, have now become educated to the fact that it is of necessity that the Federal Government has an obligation in these particular instances.

One reason why I was opposed to this legislation was because I felt the program might be controlled by the Federal Government. Having been a great advocate against Federal control of education in any phase of the program, I am now convinced that there is no Federal control in any instance or in any of our communities where this money is being

allocated. The members of the committee should be fully aware of the fact that the United States Office of Education does not go out and seek the community where this money is to be given. No money can be granted out of the Federal Treasury unless the program of that particular community has first the approval of the superintendent of public instruction of the State within which that community is located. We have had 21 schools this past year that were eligible for these funds which have not applied. Those schools would not be eligible until they made proper application to their own State authorities.

Further, I think the Committee on Education and Labor will find, when they investigate this whole program, that the problem which this Congress faces in the future will be to build proper school rooms to house the children of these workers on a Federal project in order that they may have suitable and adequate places for their education.

Mrs. HARDEN. Mr. Chairman, will the gentleman yield?

Mr. KEARNS. Yes, I yield to the gentlewoman from Indiana.

Mrs. HARDEN. In my district there are 32 children whose parents are living on the Federal penitentiary agency. Those people have been told that they cannot attend the public schools in that township unless the parents pay tuition for them, or they are reimbursed by the Government. Will this bill include those children?

Mr. KEARNS. I would answer the lady by saying that if they make proper application through the great State of Indiana, then the United States Commissioner's office will send their man out to fully study the problem, and if it warrants it they will receive the money. Yes.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. KEARNS. I yield.

Mr. KEATING. This is not intended in any way to be critical of helping a district such as the one just referred to by the gentlewoman from Indiana. My understanding of the Federal-aid bill here has been that it was intended to help those conditions where a war situation had created a case where the school district could not take care of the children; and I just wonder, as a general proposition, whether it is intended to go beyond the war-incurred situation. I am afraid it is. That is one of the reasons why I hesitate in supporting the bill, because I fear it is a further extension of Federal aid in new areas.

Mr. KEARNS. I would answer the gentleman from New York by saying that in many places they have not the taxable dollars for the support of their schools, even then they have not applied for this money, though a distressed area. I have noted that it is the little crossroads places, the small communities where the taxable dollar is not to be found for school purposes, that is the type of community that needs this relief rather than the metropolitan centers.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. McCONNELL. Mr. Chairman, I yield the gentleman from Pennsylvania three additional minutes.

Mr. KEARNS. At the minority table here I have pictures taken out at Midwest City, Okla. I wish some of the Members opposed to this bill would take enough time to look at some of those pictures depicting the undesirable conditions of the schools of that small, but I think admirable, community out in the great State of Oklahoma.

Mr. HOFFMAN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. KEARNS. I yield.

Mr. HOFFMAN of Michigan. Did the gentleman make any investigation to see whether the State of Oklahoma could take care of that situation?

Mr. KEARNS. I notice the gentleman from Oklahoma [Mr. MONRONEY] on his feet. I am sure he can answer the gentleman and I yield to him for that purpose.

Mr. MONRONEY. I know from my own knowledge that this little city of Midwest is completely up to the limit of its taxable rate. It has raised its valuation about three times, to the point where it is practically the highest evaluated assessed valuation area in the State of Oklahoma, and that it has bonded itself to the limit authorized and where it has drawn from the State treasury for weak-school aid all the aid that is allowable under our law, yet they need further aid in educating these thousand school children that are there because of activities of the Federal Government.

Mr. HOFFMAN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. KEARNS. I yield.

Mr. HOFFMAN of Michigan. That is all very well, but that is not an answer to my question. Cannot the great State of Oklahoma—and it has great wealth from oil—cannot the great State of Oklahoma take care of this situation?

Mr. MONRONEY. I am trying to say that the State of Oklahoma has helped. The State of Oklahoma has appropriated in the neighborhood of \$20,000,000 for aid to weak schools, and this school district had all the aid from this fund that is allowable under our law.

Mr. HOFFMAN of Michigan. These poor, weak people down there in Oklahoma. I thought everybody in Oklahoma was wealthy.

Mr. MONRONEY. We have some very, very poor land in the State of Oklahoma, a great deal of it, also some very wealthy oil land, but not all of Oklahoma is underlaid with oil.

Mr. HOFFMAN of Michigan. I thought everybody in Oklahoma was wealthy.

Mr. MONRONEY. The gentleman from Michigan is absolutely correct, that the State should do all it can, but in this instance the State has, and still it is not enough.

Mr. HOFFMAN of Michigan. We have the same overcrowded condition in Michigan. I do not need to remind the gentleman that war industries moved into the Fourth District of Michigan with foundries and defense industries. But now these people who worked in the foundries and had these wartime jobs

are out and are living on the land of the local taxpayers. These men are out of jobs so they cannot send the children to school.

Mr. KEARNS. Mr. Chairman, I cannot yield further. It is true that we have many places in the United States of America where we have these overcrowded conditions caused entirely by governmental activities. The Federal Government certainly owes a duty to aid in these instances.

Mr. HOFFMAN of Michigan. But there are many other instances in which the States themselves should make a greater effort to take care of their own overcrowded condition.

Mr. LESINSKI. Mr. Chairman, I yield 5 minutes to the gentleman from Texas [Mr. LUCAS].

Mr. LUCAS. Mr. Chairman, I think I can bring this proposition down to where we may clearly understand the situation. Let us assume a school district comprising 5,000 acres of taxable land and the Federal Government comes in and buys up 4,000 acres of that land, then places on the 4,000 acres two or three hundred families with children. Is it fair for that school district, which originally comprised 5,000 acres of taxable land, to educate the children living on the Federal property which pays no taxes? That is the question. This is a direct consequence of the war.

Mr. LODGE. Mr. Chairman, will the gentleman yield?

Mr. LUCAS. I yield to the gentleman from Connecticut.

Mr. LODGE. May I point out that in Stratford, Conn., where the Chance Vought plant was located, the plant was tax exempt, yet the taxpayers of Stratford paid for the schooling of the children of the workers. How does the gentleman reconcile that with the statement he has just made?

Mr. LUCAS. I think it is commendable that the citizens of Stratford educated the children of the workers of that plant, and I commend the gentleman for being concerned about the matter. I do not think the gentleman should criticize Texas, however, because some of his people moved from Connecticut to another State.

Mr. LODGE. I do not see why the people of Stratford, after having been deprived of those facilities, should have to pay for the schooling of children in Texas, when the city of Dallas is a far wealthier community than Stratford.

Mr. LUCAS. I am placed in a rather anomalous position in defending Dallas because I am not from Dallas; however, I am familiar with the situation. In answer to the gentleman from Connecticut, the question is simply this, whether or not those children will receive an education. This Chance Vought plant is located at Grand Prairie, Tex., outside of Dallas. The superintendent of schools down there has told me that had not the Federal Government participated in the program last year, even before the Chance Vought plant went in there, their schools would have been open only 6 months this last school year.

Mr. LODGE. I understand the children of the workers of the transport

plant in Dallas will go to schools which will receive aid under this legislation?

Mr. LUCAS. I cannot answer the gentleman's question. I think it is possible they will go to a school which will receive assistance under this program. They must go to school somewhere, whether it is in Stratford, Dallas, or Grand Prairie. Someone has to provide for their education. It is not the fault of the people of Grand Prairie that these children have been brought in there. Some taxpayers have to pay the cost of the education.

Mr. LODGE. I agree with the gentleman. I want the children to go to school just as much as the gentleman does, and I have the highest regard for the people of Texas, but does the gentleman think the people of Stratford and Bridgeport should have to pay for the education of these children?

Mr. LUCAS. It is all a part of our war effort. We all want to do everything that is possible to protect our country. If they choose to put up a war plant in one county rather than in another, the people of the other county should be glad that the Government will do all it can to protect our country. I do not in this instance, of course, question the wisdom of the authorities in moving this industry to Texas.

Mr. LODGE. I know what the people of Texas have done to protect America, but I want to assure the people of Texas that I do not want our people in Stratford to be penalized additionally by the removal of this plant.

Mr. LESINSKI. Mr. Chairman, will the gentleman yield?

Mr. LUCAS. I yield to the gentleman from Michigan.

Mr. LESINSKI. I suppose the misunderstanding between the gentleman from Texas and the gentleman from Connecticut arises from the size of any given school district and the amount of taxable property in any particular school district. This has nothing to do with the school district. Eighty percent of the land of a school district may be taken away. That school district must account for its own district. It has nothing to do with another school district.

Mr. KEARNS. Mr. Chairman, will the gentleman yield?

Mr. LUCAS. I yield to the gentleman from Pennsylvania.

Mr. KEARNS. I am sure that if the city of Dallas finds it has enough taxes for school purposes it will probably not apply for this money, even though there are children there from Connecticut being educated.

Mr. LUCAS. I think that would be the case everywhere. If the school district can provide for itself, and for its own children, it will not apply for these school funds.

This is a Federal responsibility, gentlemen, and we must face it. The local school districts should not be expected to provide educational facilities, school teachers' salaries, and the other costs of operating a school for the children of the workers at a war plant, when that plant pays no taxes, without assistance from the Federal Government which in

the first place created the condition. There are two such distressed school districts in my home county, and I say to you that unless the Federal Government affords us such assistance as is provided in this bill, then there will be hundreds of children who will not receive even a minimum of training during the next school year. We must pass this bill.

Mr. McCONNELL. Mr. Chairman, I yield 4 minutes to the gentleman from Kansas [Mr. REES].

Mr. REES. Mr. Chairman, I am not sure how this proposed legislation will affect other communities. I am going to explain rather briefly how it applies to two projects in my congressional district. One is a comparatively large school district of Planeview approximately 12 miles outside Wichita, Kans. The other project is the Beechwood district 7 miles from the city limits of Wichita. Both of these installations were built by the Government in order to provide housing for workers in war plants. The Boeing Airplane Co., as you know turned out the famous B-29 planes, as well as other planes. Beechcraft and Cessna likewise built hundreds of planes under war contracts. Thousands of persons were engaged in war work and were housed in temporary housing built by the Government. Schools were provided and shopping centers were provided by the Government.

Most of the housing is still there. I think there were about 18,000 people in Planeview during the war period. Incidentally Boeing has reopened and employs about 10,000 workers engaged again in building war planes. Many of the workers live in Planeview.

There are approximately 3,000 students enrolled in Planeview schools. It takes \$490,000 to operate these schools. Beechwood is smaller. The enrollment is a little more than 200 in the grades. As I understand the situation high school is not maintained at Beechwood. It takes about \$39,000 to run Beechwood schools. Planeview is asking for about \$180,000 of the total of \$490,000 to run the schools for a year. Beechwood will need approximately \$14,000 of the \$39,000 I have mentioned.

Mr. Chairman, the Federal Government is presently collecting rents from this temporary housing at Planeview, consisting of 2,980 units, the sum of about a million dollars a month, or \$12,000,000 a year. So, all we are asking is that the Government turn back 15 percent of the rents collected from a housing project, owned and operated by the Government.

It should be clear that since the Government owns the housing, that is rather cheaply, there is little tax that can be collected locally. There is some income from the township and the county and there is a substantial contribution from the State of Kansas. It is possible the State should do more but we are collecting from the State all that can be collected under the law.

Mr. Chairman, we are not asking for so-called hand-outs. All we ask is that the Government turn back part of the rent collected to supplement the taxes

paid by the people in local communities. This is one of the problems you are going to face in the Government housing business. So, so far as my area is concerned I see no reason why, under the circumstances, we are not entitled to a return of a part of these rents to help take care of a deficit that must be paid. Some mention was made as to the people who live in these housing units. I am informed 65 percent of the residents are veterans and their families.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. REES. I will be glad to yield to the distinguished gentleman from Michigan.

Mr. DONDERO. I am in sympathy with what the gentleman says. My State of Michigan paid in about \$2,500,000,000 in income taxes last year. Give us back just 10 percent of that, and we will not be here asking for any money under a bill like this. I think the gentleman's State would be in exactly the same position.

Mr. REES. I appreciate the gentleman's observation. Of course, we do not have the large automobile factories in our State. Nevertheless, I think we do pay our fair share of the income taxes.

Mr. HOFFMAN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. REES. I yield to the distinguished gentleman from Michigan who always gives the problems of government a lot of study and consideration.

Mr. HOFFMAN of Michigan. We do not have the billions of bushels of high-priced wheat, either.

Mr. REES. I regret that your great State does not produce wheat and other foods in abundance.

Mr. HOFFMAN of Michigan. I am glad you have it.

Mr. REES. We are glad we can share our food crops with people of other States. We buy your cars and sell you our wheat, corn, and other food. We are glad to help feed the people of Michigan and other areas.

Mr. LESINSKI. Mr. Chairman, I yield 5 minutes to the gentleman from Texas [Mr. COMBS].

(Mr. COMBS asked and was given permission to revise and extend his remarks.)

Mr. COMBS. Mr. Chairman, I shall not take the full 5 minutes, and will be glad to yield to any Members who have not been able to obtain time to speak on this bill.

Mr. MURDOCK. Mr. Chairman, will the gentleman yield?

Mr. COMBS. I yield to the gentleman from Arizona.

Mr. MURDOCK. I am in full support of this bill. I have in my congressional district several such school districts as have been described here.

Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD immediately following the remarks of the gentleman from Texas [Mr. COMBS].

The CHAIRMAN. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. BROOKS. Mr. Chairman, will the gentleman yield?

Mr. COMBS. I yield to the gentleman from Louisiana.

Mr. BROOKS. I wish to thank the gentleman for his courteous attitude in being willing to yield, since I have not been able to get any time on this matter. Let me say this, however. The way the matter impresses me is that there is not a fair policy of distribution of these funds in many cases. For instance, I know in my area we have a heavy burden of war-incurred responsibility, yet our fiscal set-up is such that we are not able to participate in the program. Other areas I know of pay much less school taxes and are able to participate in the program and reap the benefits from it. Our area, because of our tax set-up, with a heavy burden of taxes, does not participate in the program. I think some new criteria might be worked out which would result in a more equitable distribution.

Mr. COMBS. I thank the gentleman from Louisiana. In view of his remarks, I think a brief explanation of the plan of distribution provided in the pending bill will be of some help. I think there is some misunderstanding about it.

The communities eligible are these, and I want the gentleman from Connecticut [Mr. LODGE] to listen to this also. In view of his remarks earlier in the debate, I think he, too, has misunderstood the proposition, and why his community probably did not get the aid.

I quote from the bill:

That in order to assist local school agencies in providing educational opportunities for children residing (a) on Federal reservations or on other federally owned property, or (b) within the boundaries of local school agencies overburdened financially by defense-incurred school enrollments or reductions in the school revenues resulting from the acquisition or ownership of land by the United States—

Those are the communities that are eligible under this bill.

Let me say this to the gentleman from Connecticut: If the war plant he referred to that moved down to Texas was located in his city or near it, and if it was a Government war activity, as I assume it was at that time, and if his community was overburdened with increased school enrollment by reason of that, then all it had to do was make application for aid under the prior act, as under this act, and make that showing, and it would have received aid.

Mr. LODGE. Mr. Chairman, will the gentleman yield?

Mr. COMBS. I yield to the gentleman from Connecticut.

Mr. LODGE. I am delighted to get this information from my good friend from Texas. Early this afternoon the gentleman from Ohio [Mr. McSWEENEY] said they would have been entitled to make application. I do not believe any community in the United States ought to be penalized because of its failure to make an application in this connection. I think it should be encouraged to be self-sufficient, and not be discouraged by being penalized because they do not want to ask for Government aid. That indicates a splendid civic spirit on the part of the people of Bridgeport and

Stratford, that they did not make application.

Mr. COMBS. It is a fine spirit, but I do not see where the penalizing comes in.

Mr. LODGE. The penalizing comes in because they are now going to be called upon to pay taxes for the education of these children in communities that are now better off than they are.

Mr. COMBS. I want to make an explanation here that I think will be of interest. I do not know the situation at Dallas since the war plant to which the gentleman from Connecticut referred moved down there. Dallas is way north of where I live. But here is the thing that is not understood by some of the Members. When a plant such as this moves down to Dallas, say, actually it goes out in the country, entirely outside of Dallas, and builds its plant out in a little local school district. In every State a large part of the burden of public schools is borne by the local school community.

Take Texas for example. My State appropriates \$55 for each school child in the State uniformly over the State. The average annual cost for public school operation for each child in Texas is \$132. The difference between the \$132 average cost for school maintenance and the \$55 put up by the State falls entirely on the local community. Now, if this great Government installation goes into a small town or a little school district having only two or three hundred children, with only modest sources of revenue, and places several hundred children there that have to be educated, one of two things must happen. Either the local community must refuse to receive them into the schools or the school district must have aid from somewhere to keep the schools going for a full term of 9 months. I would like to use the town of Orange, Tex., as an example. There are about 2,500 children living in this Government housing. There is a great naval base there, a temporary naval storage basin. What happens is this: First, the State of Texas puts up \$55 for every school child in Orange, including, of course, those living in Government housing. The city of Orange doubled its school valuations and levies a heavy burden of local school taxes, and this is added to the amount received from the State, and only the amount required to provide that the average amount of \$132 per pupil is made up out of the Federal appropriations. So I think this is a fair method of distribution. The State and local people do share a large part of the burden of educating the children of these temporary residents. This bill provides no Federal hand-out. It merely recognizes the added burden placed on the local school districts by a Federal Government activity, and shares the expense accordingly.

Mr. MURDOCK. Mr. Chairman, I want to urge passage of this bill, H. R. 3829. Many school districts in my own State, as well as elsewhere, have found themselves in difficult financial condition because of war-swollen population. It is true that the war is over, but in many

cases those families that came to my State of Arizona have remained, and therefore those schools are still in need of assistance in coping with this increased enrollment, especially in such cases where their present indebtedness has reached the limit allowed by law.

I have recently received statements from Superintendent Liem, of the Washington School District at Phoenix, and J. B. Sutton, superintendent of the Isaac School District, also in Phoenix, urging that I support this bill, and I know that the Amphitheater and the Sunnyside School Districts in Tucson are also concerned.

As a former school man myself, I have long been aware of the importance of adequate provision for the education of our young people, and I have in previous years supported legislation to grant relief to war-swollen school districts. I am glad to speak once again in behalf of such legislation as we are now considering.

Mr. McCONNELL. Mr. Chairman, I yield such time as he may require to the gentleman from Washington [Mr. TOLLEFSON].

Mr. TOLLEFSON. Mr. Chairman, I am in favor of this legislation and trust that the House will act favorably upon it. There is one point which was not made very clear in the discussion on the bill, and that is with reference to section 2, in which provision is made for a school district which may be affected by war-incurred population and might qualify in other respects, but nonetheless could not receive funds unless it had an actual or anticipated deficit. In determining the deficit the Administrator must also take into consideration the total revenues actually available to the district.

(Mr. TOLLEFSON asked and was given permission to revise and extend his remarks at this point.)

Mr. TOLLEFSON. Mr. Chairman, as has been indicated by previous speakers, this bill would extend for another year the principles involved in the old Latham Act and the more recent Landis Act. Federal financial assistance would be made available to certain school districts whose enrollments have been increased by Federal defense activities and whose financial condition has thereby been overburdened to the point where deficits or anticipated deficits exist.

In many instances the Federal Government has acquired property within the school districts to such an extent that a great amount of taxable property has been removed from the local tax rolls. Revenues for school districts have thereby been decreased, while the expenses have increased because of increased enrollments. The Federal Government, therefore, has an obligation to those districts to supplement the revenues thereof. The Government can do this by making payments in lieu of taxes or appropriating funds pursuant to this legislation. Now, it is true that in many instances payments are already made in lieu of taxes, but an examination of these payments as presently made will indicate that they are not sufficient to offset the increased expenditures made necessary

by the swollen defense-incurred population. This legislation makes possible the equalizing of this discrepancy.

Not all school districts with war-incurred or defense-incurred school enrollments can qualify. There must exist an overburdened financial condition to the extent of a deficit or anticipated deficit. Furthermore, in determining such deficit the Administrator must take into consideration the total income of the local district actually available to it. In other words, the district must, to all practical extent, exhaust local finance resources.

There are eight such districts in my congressional area who urgently need this assistance. As I have stated, this is a Federal obligation, and the bill should be passed.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. TOLLEFSON. I yield.

Mr. KEATING. We keep on hearing about defense establishments as the basis for all of this legislation. But, as I read it—and I could be in error—it does not apply solely to defense-created areas, but to any area where there is property or land owned by the United States which brings about this situation. Am I not right in that understanding?

Mr. TOLLEFSON. That is my understanding of it, but, as the gentleman from Massachusetts [Mr. KENNEDY] mentioned a moment ago, there are only five districts affected which do not have defense activities, and their participation has, according to FWA, been in the process of being reduced.

Mr. KEATING. In other words, there are only five now receiving aid which do not come in the defense category?

Mr. TOLLEFSON. That is my understanding.

Mr. KEATING. But it could be extended beyond that under this wording, could it not?

Mr. TOLLEFSON. Under this wording it could be, but within the provisions of section 2 of the bill.

Mr. KEATING. Therefore, in that respect it is an extension of the previous law which was limited only to defense areas; is that not right?

Mr. TOLLEFSON. That is correct, except that as a matter of practice those districts are, as I mentioned, being gradually reduced in their participation.

Mr. KEATING. In this law for the first time, however, it is possible to give aid to those districts. In other words, it appears to be an extension. I am glad to be corrected if I am in error.

Mr. LESINSKI. Mr. Chairman, will the gentleman yield so that I may answer that?

Mr. TOLLEFSON. I yield.

Mr. LESINSKI. That is why I brought out the matter of the State of Oklahoma, where, in one of the school districts, the Government bought 90 percent of the land. There was only a small township left with 126 school children. Then, when the Government took this land, it brought in 2,500 children who had to go to this particular school. This is Government-owned land and the

school cannot afford to keep these children unless this aid is given.

Mr. KEATING. If the gentleman will yield further, so that I may put another question to the gentleman from Michigan, I appreciate, of course, a particular situation which may exist in the district of a gentleman from Oklahoma or any other district, but my point is that this law as now written is an extension of Federal aid beyond previous legislation.

Mr. LESINSKI. No; I am sorry, it is not. It is not an extension of any other legislation. I think the gentleman has the wrong information there. There is no extension unless it is war-incurred.

Mr. KEATING. I understood under the old law the only school districts which were aided were those where there was a situation created by defense industry or some defense plant, whereas, as this law is worded at the present time, it extends aid not only to such areas but to any area where there is Federal building and Federal installations, whether they are for national defense or any other purposes.

Mr. LESINSKI. That is not true. That is not the way we understand it.

Mr. McCONNELL. Mr. Chairman, I yield such time as he may require to the gentleman from Washington [Mr. Mack].

(Mr. MACK of Washington asked and was given permission to revise and extend his remarks at this point.)

[Mr. MACK of Washington addressed the Committee. His remarks will appear hereafter in the Appendix.]

Mr. LESINSKI. Mr. Chairman, I yield 2 minutes to the gentleman from Alabama [Mr. Grant].

Mr. GRANT. Mr. Chairman, I asked for this time in order to propound a question to the committee.

This legislation is a departure from the legislation we had on this subject last year, in that the legislation at that time provided for a sum not exceeding \$120 per child when the Secretary of the Army finds that the schools, if any, available in the locality, are unable to provide adequately for the education of those school children. That law provided that they must have lived on the military installation. The present bill provides that they can live on the installation or outside of the installation in certain cases.

I have a letter from the superintendent of education of Montgomery, Ala. I may say that Montgomery, Ala., is a city which is vitally interested in this legislation because of the fact that we have two large air fields in that city—one on one side and one on the other side. He states that the present bill, H. R. 3829, is a bill which contributes to deficit financing by local school boards, and that under Alabama law they cannot operate a deficit. Before doing so they would have to cut salaries and cut everything else possible.

I wish to ask the chairman, or some member of the committee, just how the public-school system of Montgomery, Ala., may benefit under this bill, taking into consideration the fact that deficit financing is prohibited by the State of Alabama. I see that my time is about to expire and I will therefore request this

information a little later when more time is available.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

(Mr. GRANT asked and was given permission to revise and extend his remarks.)

Mr. LESINSKI. Mr. Chairman, I yield the balance of the time to the gentleman from Oklahoma [Mr. Monroney].

(Mr. MONRONEY asked and was given permission to revise and extend his remarks.)

Mr. MONRONEY. Mr. Chairman, I would like to straighten out one or two questions about this bill.

In the first place, no school district that can possibly get along without this Federal money would care to come to the Federal Government for it. For instance, we are passing very late this year the authorization to take care of those schools for the next year. That means that every teacher in those schools does not know whether they will have employment for the next year or not.

It will still be dependent upon the action of the Appropriations Committee in granting these funds. This is an emergency life line to those small school districts which have the impact of war enrollment that they cannot possibly meet.

I am talking about the Midwest city, a small municipality about 7 miles from Oklahoma City.

Oklahoma City cannot absorb this school district because of its territorial location being too far away to integrate with the Oklahoma City school system.

In Oklahoma City we perhaps take care of almost half of the war impact of the Mid-West Air Depot installation and we do not mind, Oklahoma City does not need Government help, because we have got a tax base in Oklahoma City where we can handle that.

But here is a little community across the street from this air installation where more than six or seven thousand people live and sleep. There are no taxable business establishments there. The entire business is across the street—about \$20,000,000 worth of business installation, all Government-owned which is completely tax-exempt, and which absorbs 90 percent of that school district.

If this were a privately owned plant, as in the case in some places in the country, where some industry owned that plant, we would not be here asking for any Government help. The ad valorem tax rate in such a case that would work on that fifteen or twenty million dollars investment and would probably give you the best schools in the world in that kind of a defense area. Where the Government owns this land and creates the immense pupil load, we are not asking for a handout; we are merely asking that Uncle Sam not take a free ride on these very small independent school districts.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired, all time has expired. The Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That the first section of the act entitled "An act to provide assistance to certain local school agencies overburdened with war-incurred, or postwar na-

tional-defense-incurred, enrollments", approved June 29, 1948 (Public Law 839 of the 80th Cong.), is hereby amended to read as follows:

"That the Federal Works Administrator is authorized to make, in the same manner as heretofore authorized, during the fiscal year ending June 30, 1949, contributions for the operation and maintenance of school facilities to local school agencies requiring assistance that (a) are still overburdened with school enrollments caused by war activities and the transition from war to peacetime conditions and have received during the fiscal year ending June 30, 1948, or during any prior fiscal year, Federal contributions administered by the Federal Works Administrator for the operation and maintenance of their school facilities, or (b) have become overburdened with defense-incurred school enrollments as the result of the reactivation or expansion of any defense establishment or the operation of any new defense establishment."

With the following committee amendment:

Strike out all after the enacting clause and insert the following: "That in order to assist local school agencies in providing educational opportunities for children residing (a) on Federal reservations or on other federally owned property, or (b) within the boundaries of local school agencies overburdened financially by defense-incurred school enrollments or reductions in the school revenues resulting from the acquisition or ownership of land by the United States, the General Services Administrator is authorized to make contributions to such local school agencies for the operation and maintenance of their school facilities as provided in this act.

"SEC. 2. The total contributions for any school year to any local school agency overburdened financially by a defense-incurred school enrollment or reductions in school revenues caused by the acquisition or ownership of land by the United States shall not exceed the actual deficit, as determined by said Administrator that without such contribution would be incurred in such school year by the local school agency in the operation and maintenance of its school facilities: *Provided, however,* That in determining such deficit the said Administrator shall take into consideration the total income of the local school agency actually available for the maintenance and operation of its school facilities in such school year and the total costs incurred by the local school agency in such school year for the maintenance and operation of its school facilities.

"SEC. 3. There is hereby authorized to be appropriated for the fiscal year ending June 30, 1950, \$7,500,000 to carry out the purposes of this act.

"SEC. 4. In the administration of this act, no department, agency, officer, or employee of the United States shall exercise any supervision, direction, or control over the personnel, curriculum, or program of instruction of any school, local school agency, or school system of any State.

"SEC. 5. The said Administrator is authorized to prescribe such rules and regulations as may be necessary to carry out the provisions of this act, and to make payments in advance, or in any other manner deemed necessary to accomplish the objectives of this act.

"SEC. 6. As used in this act, the term 'local school agency' means any public school district, county, city, town, political subdivision, public agency, or State agency operating and maintaining public school facilities; the term 'State' means any State, Alaska, Hawaii, Puerto Rico, or the Virgin Islands."

Mr. BROOKS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I am not opposed to this bill, but I am opposed to the method used in the distribution of the funds appropriated under this bill. I am opposed to the criterion put out by the Department in handling these matters. I would appreciate it if the chairman will help to clear this matter up. I come from an area where, as in the case of the gentleman from Alabama [Mr. GRANT], there is a real live problem in education. Under our school system, we are not allowed to run deficits. We have State control of the educational system. I invite the chairman to comment on the situation.

Mr. LESINSKI. I suggest that the gentleman from West Virginia [Mr. BAILEY] can aid the gentleman.

Mr. BAILEY. Mr. Chairman, will the gentleman yield?

Mr. BROOKS. I yield.

Mr. BAILEY. The matter of deficit financing does not enter into the matter under this bill. It may be that the State of Louisiana or the State of Alabama prohibits deficit financing by school boards, but under modern procedures, the superintendent of the school board prepares a school budget and on finding that they do not have sufficient funds from local and State-aid allocations to operate at the necessary level they make application through their State superintendent of schools for aid from this fund. They must first show that they face a deficit.

Mr. BROOKS. The gentleman from West Virginia wants to be helpful. The gentleman states that they have to make a showing that they have a deficit. Under our law, they cannot have a deficit.

Mr. BAILEY. There is no deficit financing at all. All they need do is to make the showing that without this aid there will be a deficit. They can govern their budget accordingly and there is no deficit financing involved.

Mr. BROOKS. I worked on this matter for a period of over several months last summer where we had a deficit situation coming up. We were told that until a deficit was incurred there was no possibility of getting any money. But our people are prohibited from incurring a deficit, so you cannot say we have a deficit. We do not have a deficit. But until we show we do have a deficit, we are not eligible to file an application for the money. I know communities that are paying a far less percentage of taxes for educational purposes which are participating in this program. Because our people do not show a deficit in the operation of their educational systems, regardless of the degree of effort on their part, they are not eligible.

Something should be worked out so that a community which bears a heavy load, like some of them in Louisiana, may participate in the program without having to show that a deficit has been incurred in violation of the law.

Mr. LESINSKI. Mr. Chairman, will the gentleman yield?

Mr. BROOKS. I yield to the gentleman from Michigan.

Mr. LESINSKI. That is the reason I had a committee appointed, so that we could study all these matters. Every school district has its problem and a

complete study must be made before any additional legislation can be passed.

Mr. BROOKS. We have at least one parish in Louisiana in which is situated an air base where hundreds of students go to school. It is a rural parish, a poor parish, but regardless of the showing we made, and I think we made a good one, this parish has not been able to participate because it cannot show that a deficit has been incurred.

Mr. GRANT. Mr. Chairman, will the gentleman yield?

Mr. BROOKS. I yield to the gentleman from Alabama.

Mr. GRANT. I think the suggestion made by our colleague from West Virginia will be very helpful in clearing this matter up. I hope in interpreting this legislation the appropriate department will be governed by the suggestion he has made. If not, it is going to mean that in a situation such as the gentleman from Louisiana has and such as I have in the State of Alabama, we will not get any funds for the next fiscal year.

Mr. BROOKS. I may say to the gentleman from Alabama that is the situation. Regardless of the needs of the school, the State of Louisiana in effect does not participate in the program. In parts of the State these needs are substantial and those districts should not be overlooked so far as participation in this program is concerned.

The CHAIRMAN. The time of the gentleman from Louisiana has expired.

Mr. HOFFMAN of Michigan. Mr. Chairman, I move to strike out the last two words.

(Mr. HOFFMAN of Michigan asked and was given permission to revise and extend his remarks.)

Mr. HOFFMAN of Michigan. Mr. Chairman, we were first told this program is a temporary one, then later on the admission was made that it is to be a permanent program.

We have a somewhat similar situation in the Fourth Congressional District of Michigan. During the war a large number of workers were brought into that district. They were housed in so-called temporary housing which we are now told is going to be indefinitely extended from year to year; no time limit fixed as to its expiration. Unfortunately, those people who came in there, a thousand or more of them, were housed in these so-called temporary housing projects—they worked in the steel plants and foundries. Some of them are now out of jobs. Naturally there was not sufficient room in the schools for their children. The children should be—they will be schooled—we all admit the necessity, but they are not, and the parents, the fathers and mothers, are out of jobs. There is no prospect they are all to have a job. To a large degree defense work is out. So there should be some remedy for the situation.

What are we to do about it? Are we going to continue the temporary war housing indefinitely? Are we to keep the several thousand people in these small communities from now on to the end of time? Or should it be made possible for

them to get back to the localities from whence they came?

I have listened and I have read many of the things which have been said by the distinguished representatives from Michigan over in the other body and they have been extremely solicitous about people in other lands, including the so-called displaced persons. I think that the House Committee on Education and Labor or some other committee might well come up with a bill which would have to do with the displaced persons in America, some displaced persons in my own district, some displaced persons in Texas, and other places.

I sympathize with the gentleman from Texas who spoke a little while ago. It is unfortunate that so many children are without school facilities. Something really constructive must be done about it. I did not hear any complaint from localities when those great plants went down there and the enormous pay rolls were in operation; nothing was said about that. But, now that the situation has changed and the war is over and employment is dropping down, do you see the point—they did not save money enough to take care of the schools and the housing—and both must be had. But we cannot support all the war workers for whom jobs are not available in the cities to which they moved—there must be some readjustment. I am serious in this. Is it not about time that we do something for the displaced persons here in America and get those people in those communities who have no jobs there either back in the business where they were or back to the land from whence they came?

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN of Michigan. I yield to the gentleman from Iowa.

Mr. GROSS. The gentleman understands we are still fighting a cold war with hot money, are we not?

Mr. HOFFMAN of Michigan. I know that it is going to make taxpayers get real hot from hard work if they are to get the dollars necessary to give housing to war workers who moved to the defense centers to give schooling to their children—when there no longer are jobs open in those communities.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. CARNAHAN. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, there is still urgent need for legislation which will provide assistance to school facilities which are heavily overburdened as the result of the recent defense effort. H. R. 3829 is a continuation on the part of the Federal Government to assist local communities in providing school facilities for many children who are not permanently a part of the community involved. We have examples of such communities in Missouri. Fort Leonard Wood, a large Federal installation, has placed upon one of our local school districts a burden which the local district does not have the wealth base to carry. The Federal Government has heavy property holdings in the area and the children from the reservation must be taken care of in the local schools. This situation is definitely not a local

problem; it is a Federal problem. This legislation is necessary to meet a Federal obligation to children who otherwise would not get adequate schooling. I see no objection to the bill and I shall vote for it.

Mr. WILSON of Texas. Mr. Chairman, I move to strike out the last three words.

Mr. Chairman, I was off the floor attending a committee meeting when, I understand, the gentleman from Connecticut referred to a war plant in Dallas and the fact that some 700 or 800 families moved out of some district in Connecticut down to the thriving metropolis of Grand Prairie, Tex. During the war the RFC spent \$50,000,000 building North American Aviation plant at Grand Prairie, Tex., some 12 or 15 miles west of Dallas. Fifty thousand people worked in that plant building airplanes for war use. After the war the War Assets Administration took over that plant as a surplus plant and it was transferred to the Navy. Of course, airplane construction stopped, but recently Chance Vought from Connecticut leased the plant on a contract from the Navy. The title to the plant is still in the Navy. Therefore no taxes can be charged. The city of Grand Prairie that had grown from 2,500 people to 30,000 people overnight had these school children on hand. This plant occupied fully half of the school district land on which they depended for school money. I certainly favor this bill, because it was certainly no fault of Grand Prairie's that they turned up with 3,000 school children instead of 300, and that they are all still there. The small number of families that moved from Connecticut, some 800, while they added a few school children to that number, I would say it was very few. There are some 2,500 or 3,000 school children there who will have only from 4 to 5 months school per year, with the school district charging the maximum amount it can charge under the law, \$1.50 per hundred tax rate, unless it gets part of this money to carry on the activities of that school. So regardless of whether Connecticut lost several hundred families and Grand Prairie took on several hundred families, or whether the gentleman from Connecticut likes it or not, those are the facts. This school needs something like \$75,000 or \$80,000 in order to carry on a 9-months school term. Certainly the gentleman from Connecticut, just because these fine people had the good judgment to move from the cold and austere climate of his State to the warm and congenial atmosphere of Texas, that they should be penalized by having no schools.

Mr. Chairman, I think this bill is absolutely essential and necessary, and should be passed as an emergency matter.

[Mr. MILES addressed the Committee. His remarks will appear hereafter in the Appendix.]

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. WORLEY, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 3829) to provide assistance to certain local school agencies overburdened with war-incurred enrollments where such agencies received similar assistance during any prior fiscal year, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. NICHOLSON. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were refused.

The bill was passed.

The title was amended so as to read: "A bill to provide assistance for local school agencies in providing educational opportunities for children on Federal reservations or in defense areas, and for other purposes."

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. THOMPSON (at the request of Mr. LUCAS) was given permission to extend his remarks in the Record and include an editorial.

Mr. DAVENPORT asked and was given permission to extend his remarks in the Record.

SPECIAL ORDER GRANTED

Mr. DAVENPORT. Mr. Speaker, I ask unanimous consent that I may address the House for 2 minutes today, after the disposition of business on the Speaker's desk and the conclusion of special orders heretofore entered.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

SPECIAL ORDER

The SPEAKER. Under previous order of the House, the gentleman from Michigan [Mr. HOFFMAN] is recognized for 10 minutes.

TRUMAN'S RED HERRING BECOMING ODORIFEROUS

Mr. HOFFMAN of Michigan. Mr. Speaker, ever since the House Un-American Activities Committee, under the leadership of Martin Dies, in June of 1938, began to turn the light of publicity on the Communists in the Federal Government, the administration has vigorously opposed the work of that committee.

Under Roosevelt, Communists were entertained at the White House, the

Dies committee's work was subjected to a continuous fire of criticism. The loyalty and patriotism of Members of Congress who saw and pointed out the danger to our Government arising from the Communists' infiltration into labor unions, schools, churches, yes, and into the Federal Government itself, was challenged.

Some of us who had the courage to challenge the administration's program of suppression of free speech, its adherence to a program tending to protect the enemies of our Government, were summoned before a grand jury proceeding under the direction of the infamous William Power Malone, who is characterized by the United States Supreme Court as a "pettifogging shyster" and who later was convicted in a local court of either drunken or disorderly conduct.

For 2 years and more that grand jury, whose existence was due to the deceptive, disreputable, cowardly conduct of the Washington Post's representative, Dillard Stokes, smeared loyal Americans who were attempting to expose the country's enemies, to call attention to the fact that there was a move on foot to haul down the Stars and Stripes and unfurl in its stead the flag of a one-world union.

When the House Committee on Un-American Activities was successful, as it was, in making public those who in the administration were betraying our Government, the Department of Justice could no longer escape prosecuting a few of the country's enemies.

To serve its own selfish ends, advance its own political interests, the Truman administration has continued to give aid and comfort to the Communists within our borders, while asking and getting billions of dollars of the taxpayers' money to, so it said, fight Communists abroad.

Bridges and Browder, top-notch Communists and long known as such, for years have been pampered, coddled, and protected.

More than once has President Truman characterized the efforts of those of us who would expose and prosecute the Reds, referred to our activities as a "red herring."

The administration was successful in its fight to force off of the House Committee on Un-American Activities the gentleman from Louisiana, F. EDWARD HEBERT, and the gentleman from Mississippi, JOHN RANKIN, former chairman of that committee, both vigorous, effective enemies of communism. But it was unable to destroy the record these gentlemen left behind them.

At last, no longer able to cover up the Communists within the administration, it prosecuted one of the little fish, Judith Coplin, and she was convicted. A bigger fish, one right in the State Department itself, one who was able to call as character witnesses two Justices of the United States Supreme Court, one who was able to cite as his former associates and endorsers men prominent in international affairs, one who was so influential that when he was no longer able to escape indictment and public trial someone high

81ST CONGRESS
1ST SESSION

H. R. 3829

IN THE SENATE OF THE UNITED STATES

JULY 28 (legislative day, JUNE 2), 1949

Read twice and referred to the Committee on Labor and Public Welfare

AN ACT

To provide assistance for local school agencies in providing educational opportunities for children on Federal reservations or in defense areas, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That in order to assist local school agencies in providing
4 educational opportunities for children residing (a) on Fed-
5 eral reservations or on other federally owned property, or
6 (b) within the boundaries of local school agencies over-
7 burdened financially by defense-incurred school enrollments
8 or reductions in the school revenues resulting from the acqui-
9 sition or ownership of land by the United States, the General
10 Services Administrator is authorized to make contributions to

1 such local school agencies for the operation and maintenance
2 of their school facilities as provided in this Act.

3 SEC. 2. The total contributions for any school year to
4 any local school agency overburdened financially by a de-
5 fense-incurred school enrollment or reductions in school reve-
6 nues caused by the acquisition or ownership of land by the
7 United States shall not exceed the actual deficit, as deter-
8 mined by said Administrator that without such contribution
9 would be incurred in such school year by the local school
10 agency in the operation and maintenance of its school facili-
11 ties: *Provided, however,* That in determining such deficit
12 the said Administrator shall take into consideration the total
13 income of the local school agency actually available for the
14 maintenance and operation of its school facilities in such
15 school year and the total costs incurred by the local school
16 agency in such school year for the maintenance and opera-
17 tion of its school facilities.

18 SEC. 3. There is hereby authorized to be appropriated
19 for the fiscal year ending June 30, 1950, \$7,500,000 to carry
20 out the purposes of this Act.

21 SEC. 4. In the administration of this Act, no department,
22 agency, officer, or employee of the United States shall exer-
23 cise any supervision, direction, or control over the personnel,
24 curriculum, or program of instruction of any school, local
25 school agency, or school system of any State.

1 SEC. 5. The said Administrator is authorized to pre-
2 scribe such rules and regulations as may be necessary to
3 carry out the provisions of this Act, and to make payments
4 in advance, or in any other manner deemed necessary to
5 accomplish the objectives of this Act.

6 SEC. 6. As used in this Act, the term "local school
7 agency" means any public school district, county, city, town,
8 political subdivision, public agency, or State agency operating
9 and maintaining public school facilities; the term "State"
10 means any State, Alaska, Hawaii, Puerto Rico, or the Virgin
11 Islands.

Passed the House of Representatives July 27, 1949.

Attest:

RALPH R. ROBERTS,

Clerk.

AN ACT

To provide assistance for local school agencies in providing educational opportunities for children on Federal reservations or in defense areas, and for other purposes.

JULY 28 (legislative day, JUNE 2), 1949

Read twice and referred to the Committee on Labor and Public Welfare

ESTABLISHED BY CONGRESS

1949

PROVIDING ASSISTANCE FOR LOCAL SCHOOL AGENCIES IN PROVIDING EDUCATIONAL OPPORTUNITIES FOR CHILDREN ON FEDERAL RESERVATIONS OR IN DEFENSE AREAS, AND FOR OTHER PURPOSES

AUGUST 17 (legislative day, JUNE 2), 1949.—Ordered to be printed

Mr. HUMPHREY, from the Committee on Labor and Public Welfare, submitted the following

R E P O R T

[To accompany H. R. 3829]

The Committee on Labor and Public Welfare, to whom was referred the bill S. 1515, introduced by Senator Humphrey, together with the House bill (H. R. 3829) to provide assistance to certain local school agencies overburdened financially because of war-incurred or defense-incurred school enrollments and because of reduction in school revenues resulting from acquisition or ownership of land by the Federal Government considered the bills. The House having acted first, H. R. 3829 consequently was the bill to be acted upon. The committee report favorably thereon and recommend that the bill do pass without amendment.

PURPOSE OF THE BILL

The purpose of the bill is to provide Federal assistance to those local school agencies that are so seriously overburdened with defense-incurred school enrollments or have suffered such a reduction in school revenues resulting from acquisition or ownership of property by the Federal Government that they cannot finance normal school services without Federal assistance. The Federal assistance is to supplement the State and local funds available to these local school agencies to enable them to operate a normal school program for the greatly increased number of school children in their districts. The bill continues for one more year, to June 30, 1950, a program that has been in operation each year for the past 8 years. The assistance authorized by this bill will make it possible for more than 350,000 school children in the affected school districts to have a normal school program for the year ending June 30, 1950.

NEED FOR THE LEGISLATION

This Federal assistance program was made necessary primarily by war and postwar defense activities of the Federal Government. During World War II thousands of military installations such as airfields, ordnance depots, army camps, and naval bases were established to train men needed in the armed services. New industrial facilities to provide war materials were put into operation and existing facilities were expanded. Many of these installations were located near small towns or in areas where the existing housing and community facilities and services were not adequate for the large influx of new workers and their families needed to man the installations. Large federally owned war housing projects were constructed to house war workers and Congress provided Federal assistance under the Lanham Act for essential community facilities and services for the increased population.

Every effort was made by the agency administering the Lanham Act program to discontinue Federal assistance for these community services and facilities after the surrender of Japan, and assistance for all type of community facilities, except the maintenance and operation of schools was discontinued after the 1946 fiscal year. However, the conditions which caused the need for school assistance during the war persisted after the surrender of Japan. The war-incurred population did not move from these centers of military training and production as rapidly as had been expected. War housing projects remained under Federal ownership and continued to be occupied at capacity levels. Much of the industrial-type property remained under Federal ownership and school enrollments continued at or near their wartime peak in most areas. As a result these communities were unable to finance normal school facilities with their own resources, and Congress has continued this Federal assistance program on a temporary year-to-year basis since the surrender of Japan.

Each year it was hoped that the communities and the States would be able to provide sufficient funds to operate their schools without Federal assistance. Considerable progress has been achieved in this respect. Most of the communities increased their property assessments and raised their tax rates to the maximum set by law. State aid for schools was increased in every State in the Union and as a result many of the communities that received Federal help during the war have been able to get along without Federal assistance since that time. During the 1945-46 school year a total of 361 schools received \$13,138,732. By the end of the 1949 fiscal year the number of schools had been reduced to 147 and the amount of Federal assistance they received had decreased to \$5,862,500.

These schools that received aid during the war and are still in need of help are those in which the transition from war to peacetime conditions had not been completed. They still need assistance because much of the federally owned war housing constructed in their districts during the war remains under Federal ownership and is occupied at capacity levels. The income received from these war housing projects as payment in lieu of taxes is generally below the local share of the cost of operating schools for the children living in the housing. In general, they pay less taxes than privately owned dwellings in the community. In addition, many of these communities still have large federally owned arsenals, army camps, and similar military installa-

tions within their boundaries and in many cases the installations are permanent. In many of these areas substantial numbers of children of service or civilian personnel live on these tax-free Federal reservations and attend school in the adjacent communities. The school districts receive no local income whatever from this federally owned property to pay for the schooling of these children. In addition, a number of these districts still have federally owned war plants or industrial-type facilities operating at or near capacity which bring large numbers of additional people to the community, but which pay no local taxes for school purposes. In a number of cases these federally owned plants are operated by private companies for profit, yet they contribute nothing toward financing local school operations. In spite of the fact that the communities have made every effort to meet this federally caused financial burden without Federal aid by higher property evaluation and by increasing taxes to the limit, they still cannot provide enough funds to finance normal school services for these children.

In addition to the districts which remain in need because of war activities, there are a small number of other districts that have been affected by expanded postwar defense activities and by other activities of the Federal Government, such as projects of the Corps of Engineers. This group of communities also have experienced an influx of additional children and reduction in school-tax revenues to such an extent that they are not able to finance normal school services for the increased number of children who live in them and they have not been eligible to receive Federal help under past programs. H. R. 3829 makes them eligible to receive assistance if they are unable to finance normal school services with their own resources.

SCOPE OF THE BILL

During the fiscal years ending June 30, 1947 and 1948, the authorizing legislation limited assistance to those school agencies that had received assistance the preceding year and were still in need. For the 1949 fiscal year the legislation authorized assistance to those schools that received aid the preceding fiscal year and were still in need, and also to those additional schools in need because of reactivation or expansion of an existing defense installation or the operation of a new defense establishment. The present bill (H. R. 3829) authorizes Federal assistance to school agencies providing schooling for children living on federally owned property and also to school districts overburdened financially by defense-incurred school enrollments or by reduction in school revenues resulting from acquisition or ownership of land by the United States.

The present bill does not restrict assistance to school districts where the need is caused only by war and defense activities. It is intended to include certain other schools seriously in need of assistance as a direct result of Federal activities but not eligible for Federal assistance from any other source. It is the understanding of the committee that the assistance program authorized in this legislation will in general have the same coverage as previous legislation with the addition of a small number of school districts. It is the further understanding of the committee that funds to be provided under this authorization shall not be used to supplant appropriations made by the

Calendar No. 936

81ST CONGRESS
1ST SESSION

H. R. 3829

[Report No. 929]

IN THE SENATE OF THE UNITED STATES

JULY 28 (legislative day, JUNE 2), 1949

Read twice and referred to the Committee on Labor and Public Welfare

AUGUST 17 (legislative day, JUNE 2), 1949

Reported by Mr. HUMPHREY, without amendment

AN ACT

To provide assistance for local school agencies in providing educational opportunities for children on Federal reservations or in defense areas, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That in order to assist local school agencies in providing
4 educational opportunities for children residing (a) on Fed-
5 eral reservations or on other federally owned property, or
6 (b) within the boundaries of local school agencies over-
7 burdened financially by defense-incurred school enrollments
8 or reductions in the school revenues resulting from the acqui-
9 sition or ownership of land by the United States, the General
10 Services Administrator is authorized to make contributions to
11 such local school agencies for the operation and maintenance

1 of their school facilities as provided in this Act.

2 SEC. 2. The total contributions for any school year to
3 any local school agency overburdened financially by a de-
4 fense-incurred school enrollment or reductions in school reve-
5 nues caused by the acquisition or ownership of land by the
6 United States shall not exceed the actual deficit, as deter-
7 mined by said Administrator that without such contribution
8 would be incurred in such school year by the local school
9 agency in the operation and maintenance of its school facili-
10 ties: *Provided, however,* That in determining such deficit
11 the said Administrator shall take into consideration the total
12 income of the local school agency actually available for the
13 maintenance and operation of its school facilities in such
14 school year and the total costs incurred by the local school
15 agency in such school year for the maintenance and opera-
16 tion of its school facilities.

17 SEC. 3. There is hereby authorized to be appropriated
18 for the fiscal year ending June 30, 1950, \$7,500,000 to carry
19 out the purposes of this Act.

20 SEC. 4. In the administration of this Act, no department,
21 agency, officer, or employee of the United States shall exer-
22 cise any supervision, direction, or control over the personnel,
23 curriculum, or program of instruction of any school, local
24 school agency, or school system of any State.

25 SEC. 5. The said Administrator is authorized to pre-

1 scribe such rules and regulations as may be necessary to
2 carry out the provisions of this Act, and to make payments
3 in advance, or in any other manner deemed necessary to
4 accomplish the objectives of this Act.

5 SEC. 6. As used in this Act, the term "local school
6 agency" means any public school district, county, city, town,
7 political subdivision, public agency, or State agency operating
8 and maintaining public school facilities; the term "State"
9 means any State, Alaska, Hawaii, Puerto Rico, or the Virgin
10 Islands.

Passed the House of Representatives July 27, 1949.

Attest:

RALPH R. ROBERTS,

Clerk.

81ST CONGRESS
1ST Session

H. R. 3829

[Report No. 929]

AN ACT

To provide assistance for local school agencies in providing educational opportunities for children on Federal reservations or in defense areas, and for other purposes.

JULY 28 (legislative day, JUNE 2), 1949
Read twice and referred to the Committee on Labor
and Public Welfare

AUGUST 17 (legislative day, JUNE 2), 1949
Reported without amendment

public health services for which funds are made available under this section (including a unit of a State government specifically assigned responsibility for the provision of public health services in a local area and including the District of Columbia), or a combination of the governmental authorities of two or more contiguous local areas authorized to provide such services in such combined area;

"(2) the term 'population' (A), as applied to a State, means the population thereof according to the latest estimates available from the Department of Commerce on August 31 of the year preceding the fiscal year (or portion thereof) for which a determination with respect to such population is made under this section, and (B), as applied to less than State-wide areas, means the population of such areas according to the most recent decennial census figures certified by the Department of Commerce that are available on August 31 of the year preceding the fiscal year (or portion thereof) for which a determination with respect to such population is made under this section, increased or decreased in proportion to the increase or decrease since such census of the population of the State as estimated in accordance with clause (A) hereof;

"(3) the average per capita income of the United States or the average per capita income of a State, as the case may be, means its average per capita income for the three most recent consecutive years for which satisfactory data are available from the Department of Commerce on August 31 of the year preceding the fiscal year for which the determination is made, except that the average per capita income of Hawaii shall be deemed to be equal to that of the continental United States (excluding Alaska) and the average per capita income of Alaska, Puerto Rico, and the Virgin Islands shall be deemed to be equal to one-half of that of the continental United States (excluding Alaska).

"(b) To enable the Surgeon General (1) to assist the States in establishing and maintaining adequate public health services and (2) to assist the States and their subdivisions in establishing and maintaining adequately staffed and equipped local public health units for the provision of public health services, there are hereby authorized to be appropriated for each fiscal year beginning with the fiscal year ending June 30, 1951, such sums as may be necessary to carry out such purposes, respectively. The sums appropriated pursuant to this section shall be used for making payments to States which have submitted, and had approved by the Surgeon General, State plans for carrying out the purposes of this section.

"(c) Within 6 months after the enactment of this section, the Surgeon General shall by regulation prescribe with respect to local public health units—

"(1) the minimum population to be served by each public health unit, with variations for different types of areas, but such units shall not exceed in any State more than 1 for each 35,000 population, except that in States having less than 12 persons per square mile they shall not exceed 1 for each 20,000 population; and the minimum number and types of full-time professional and other personnel which local public health units in various types of areas must employ; including conditions under which and the extent to which compliance with such requirements may be postponed;

"(2) subject to the limits set forth in subsection (d) (7), general methods of administration necessary to assure efficient and economical provision of public health services under State plans, including the conditions under which and the extent to which compliance with such methods may be postponed;

"(3) the types of services which shall be considered 'public health services' for which

Federal funds provided under this section may be expended under State plans, which may include services dealing with the diagnosis and prevention of disease, the control of communicable disease, health education, demonstrations, sanitation, vital statistics, the training of personnel for State and local public health work, and other aspects of preventive medicine, but shall not include medical, dental, or nursing care except in the diagnosis or prevention of disease or the control of communicable disease.

"(d) In order to be approved under this section, a State plan shall—

"(1) set forth a program for establishing and maintaining adequate State public health services, including programs in mental health;

"(2) set forth a program for establishing and maintaining adequate State public health services, including health units for the provision of public health services: *Provided*, That nothing herein shall prevent the State from including other aspects of health activities in its plan, if the expense thereof is borne by the State and its subdivisions and not included in the term 'expenditures' for the purposes of subsection (e) hereof;

"(3) provide for the extension of the program referred to in paragraph (2) of this subsection so as to assure coverage under the program of all areas in the State at the earliest practicable date;

"(4) contain satisfactory evidence that the State health authority and the local public health units of the State whose populations are covered by the program referred to in paragraph (2) of this subsection will have authority to carry out the program in conformity with the provisions of this section and regulations prescribed thereunder;

"(5) provide, subject to regulations prescribed under subsection (e), that each local public health unit providing public health services under the plan have sufficient financial resources to assure efficient and economical administration of such health services;

"(6) provide for the allocation of all funds received by the State health authority for carrying out the program referred to in paragraph (2) of this subsection, to local public health units participating in the State plan, in accordance with methods that will assure equitable distribution and the effective use of such funds in the extension and expansion of public health services, and provide that all such funds shall be used by such units solely for the provision of such services;

"(7) provide such methods of administration of the State plan, including methods relating to the establishment and maintenance of personnel standards on a merit basis (except that the Surgeon General shall exercise no authority with respect to the selection, tenure of office, or compensation of any individual employed in accordance with such method), as may be necessary to assure the efficient and economical provision of public health services under the plan;

"(8) provide that the State health authority will make such reports, in such form and containing such information, as the Surgeon General may from time to time reasonably require, and give the Surgeon General upon demand access to the records upon which such information is based. The Surgeon General shall approve any State plan and any modification thereof which complies with the provisions of this subsection and regulations prescribed under subsection (c).

"(e) (1) From the sums appropriated pursuant to this section for each fiscal year for carrying out the program referred to in paragraph (1) of subsection (d) of this section, the Surgeon General shall, from time to time and for specified periods, make allotments (including amounts allotted from such sums for any prior period in the same fiscal year and remaining unpaid to the States) to the several States on the basis of (1) population,

(2) average per capita income, and (3) special factors relevant to the extent of the health problem in each such State. The amounts to be paid to each State having an approved plan from the allotments to such State shall be paid upon the condition that there shall be spent by the State for carrying out the approved plan for the purposes of the program referred to in paragraph (1) of subsection (d) of this section, an amount determined in accordance with regulations.

"(2) From the sums appropriated pursuant to this section, each State which has a State plan approved in accordance with subsection (d) shall be entitled to receive for each fiscal year, for carrying out the program referred to in paragraph (2) of such subsection, an amount which bears the same ratio to one-third of the total expenditures for such purpose for such year under the plan as the average per capita income of the continental United States (excluding Alaska) bears to the average per capita income of such State, except that (1) in no case may the amount paid to such State for a fiscal year exceed two-thirds of the expenditures for such purpose under the State plan for such year, and (2) there shall not be counted as expenditures under the State plan for such purpose for any fiscal year any sum in excess of \$1.50 (or such higher amount as may be specified in the appropriation pursuant to this section for such year) expended by any local public health unit participating in the State plan, multiplied by the population of the area of such unit. If, during the fiscal year, the areas covered by the State plan are changed, appropriate adjustments, prorated in accordance with the time the change becomes effective, shall be made in determining the maximum amount of the expenditures. If for any fiscal year appropriations pursuant to this section for carrying out the program referred to in paragraph (2) of subsection (d) are less than the Federal proportion under this paragraph with respect to total estimated expenditures (as of the beginning of such fiscal year) for such purpose for such year under State plans the amount to which each State is entitled under this paragraph shall be reduced proportionately.

"(3) No expenditures from grants received from the Federal Government under any provision of law (other than pursuant to this section) and no expenditures made by the State or by its subdivisions which have been reported as expenditures for the purposes of any other program aided by Federal grants, shall be counted as expenditures under the plan.

"(4) The Surgeon General may, by regulation, prescribe the extent to which the cost of services, facilities, and equipment utilized by a State or its subdivisions in carrying out a State plan approved under this section and utilized in addition in carrying out one or more State programs approved under other provisions of law providing for Federal grants to assist States or their subdivisions in carrying out health programs, shall be deemed to constitute expenditures under this subsection, and such regulations may provide that, if the major utilization of such services, facilities, and supplies is in carrying out a State plan approved under this section or is so divided among other programs as to make an apportionment thereof impracticable, the entire cost thereof shall be deemed to constitute an expenditure for the purpose of this subsection.

"(f) The Surgeon General shall, prior to the beginning of each period for which a payment is to be made, estimate the amount to be paid to the State for such period pursuant to subsection (e), and shall then certify to the Secretary of the Treasury the amount so estimated, increased or decreased, as the case may be, by any sum by which he finds that his estimate for any prior period was greater or less than the amount

which should have been paid to the State under subsection (e) for such period. The Secretary of the Treasury shall thereupon, prior to audit or settlement by the General Accounting Office, pay to the State, at the time or times fixed by the Surgeon General, the amount so certified.

"(g) Whenever the Surgeon General, after reasonable notice and opportunity for hearing to the health authority of the State finds—

"(1) that the State plan has been changed so that it no longer complies with the requirements of subsection (d); or

"(2) that in the administration of the plan there is a failure to comply substantially with any provision required by subsection (d) to be included in the plan; or

"(3) that the State plan has ceased to comply with regulations under subsection (c): *Provided*, That no changes in a State plan shall be required within 2 years after initial approval thereof, or within 2 years after any change required therein by reason of any change in the regulations prescribed pursuant to subsection (c), except with the consent of the State or in accordance with further action by the Congress;

the Surgeon General shall notify such State health authority that further payments will not be made to the State from appropriations pursuant to this section (or, in his discretion, that further payments will not be made to the State from such appropriations for activities or areas in which there is such failure) until he finds that the plan again complies with such requirements or until he is satisfied that there will no longer be any such failure. Until he so finds, or is so satisfied, the Surgeon General shall make no further certification for payment to such State from appropriations pursuant to this section, or shall limit payment to activities or areas in which there is no such failure.

"(h) (1) If any State is dissatisfied with the Surgeon General's action under subsection (g) of this section, such State may appeal to the United States court of appeals for the circuit in which such State is located. The summons and notice of appeal may be served at any place in the United States. The Surgeon General shall forthwith certify and file in the court the transcript of the proceedings and the record on which he based his action.

"(2) The findings of fact by the Surgeon General, unless substantially contrary to the weight of the evidence, shall be conclusive; but the court, for good cause shown, may remand the case to the Surgeon General to take further evidence, and the Surgeon General may thereupon make new or modified findings of fact and may modify his previous action, and shall certify to the court the transcript and record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive unless substantially contrary to the weight of the evidence.

"(3) The court shall have jurisdiction to affirm the action of the Surgeon General or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28 of the United States Code."

AMENDMENTS TO SECTION 314 OF THE PUBLIC HEALTH SERVICE ACT

SEC. 4. (a) Subsection (c) of section 314 of the Public Health Service Act, as amended, is amended to read as follows:

"(c) There is hereby authorized to be appropriated such sums as are necessary to enable the Surgeon General to provide demonstrations and to train personnel for State and local health work and to meet the cost of pay, allowances, and traveling expenses of commissioned officers and other personnel of the Service detailed to assist the States and their local subdivisions in carrying out the purposes of section 315."

(b) The first sentence of subsection (d) of such section 314 is amended to read as follows: "For each fiscal year, the Surgeon General, with the approval of the Administrator, shall determine the total sum from the appropriation under subsection (a) and the appropriation under subsection (b), which shall be available for allotment among the several States."

(c) Subsection (g) of such section 314 is amended (1) by striking out "or subsection (c)."; and (2) by striking out the following: "and, to the extent that any such plan contains provisions relating to mental health, by the mental health authority of such State."

(d) Subsection (h) of such section 314 is amended by striking out "(c)."

(e) Subsection (i) of such section 314 is amended (1) by striking out "or, where appropriate, the mental health authority"; (2) by striking out "or subsection (c)."; and (3) by striking out "or mental health authority."

(f) Subsection (j) of such section 314 is amended to read as follows:

"(j) All regulations and amendments thereto with respect to grants to States under this section or section 315 shall be made after consultation with the State health authorities and, in the case of regulations or amendments which relate to or in any way affect grants for work in the field of mental health, the State mental health authorities. Insofar as practicable, the Surgeon General shall obtain the agreement, prior to the issuance of any such regulations or amendments, of the State health authorities and, in the case of regulations or amendments which relate to or in any way affect grants for work in the field of mental health, the State mental health authorities. Except in case of emergency such regulations shall be issued only after 30 days' notice to, and presentation to the annual conference of, such health authorities."

(g) The amendments made by this section shall take effect July 1, 1950. Any amount paid to a State for carrying out the purposes of subsection (c) of section 314 of the Public Health Service Act prior to July 1, 1950, and remaining unexpended on that date shall remain available for expenditure by the State for State public health services in accordance with a plan approved under section 315 of the Public Health Service Act, as amended by this act, but shall be deducted from the payments to which the State would otherwise be entitled under section 315.

The clerk will state the amendment of the Senator from Alabama.

The LEGISLATIVE CLERK. In the committee amendment, on page 17, line 6, after the word "disease," it is proposed to strike out the period, and insert a comma and "or the promotion, establishment, or maintenance of industrial accident-prevention programs."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to amend the Public Health Service Act to authorize assistance to States and their subdivisions in the development and maintenance of local public health units, and for other purposes."

SUBSISTENCE EXPENSES TO JUSTICES AND JUDGES

The bill (H. R. 2166) to amend title 28, United States Code, section 456, so as to increase to \$15 per day the limit on subsistence expenses allowed to justices and judges while attending court

or transacting official business at places other than their official station, and to authorize reimbursement for such travel by privately owned automobiles at a rate of not exceeding 7 cents per mile, was announced as next in order.

Mr. KILGORE. Mr. President, House bill 2166 is the same as Calendar 825, which is Senate bill 48. There is only one difference between the two bills. There is a misplaced comma in House bill 2166 which is removed in Senate bill 48, and I therefore ask unanimous consent that the Senate bill be substituted for the House bill.

The PRESIDING OFFICER. Does not the Senator want the House bill passed?

Mr. KILGORE. Calendar No. 932 is House bill 2166, and Calendar 825 is the Senate bill.

Mr. AIKEN. Mr. President, it is my understanding that the Senator from New Hampshire [Mr. TOBEY] desires to object to the consideration of the bill at this time.

The PRESIDING OFFICER. Objection is heard.

Mr. TAFT. Mr. President, I suggest it would be a mistake to substitute the Senate bill for the House bill. It would be all right to insert the comma.

Mr. KILGORE. The reason for my suggestion was that the House bill is ambiguous by reason of a comma.

Mr. TAFT. The Senator might desire to amend the House bill by substituting the Senate language, but certainly he does not want the Senate to pass one bill and the House to pass another.

The PRESIDING OFFICER. Objection has been heard, and the bill will be passed over.

COMPENSATION OF EMPLOYEES PAID ON A FEE BASIS

The Senate proceeded to consider the bill (H. R. 5465) to amend section 4 of the Civil Service Retirement Act of May 29, 1930, as amended.

Mr. HILL. Mr. President, I have collaborated with the committee expert on this bill, and we have agreed on some amendments which I offer, which do not change the intent or purport of the bill.

Mr. WILLIAMS. Mr. President, I am very much interested in this bill, but I ask that it go to the foot of the calendar.

Mr. HILL. Very well.

The PRESIDING OFFICER. The bill will go to the foot of the calendar.

BILL PASSED OVER

The bill (S. 1390) to authorize the conveyance to the State of California of easements for the construction and maintenance of a toll highway crossing and approaches thereto over and across lands of the United States in the vicinity of San Francisco Bay, Calif., and for other purposes, was announced as next in order.

Mr. DOWNEY. Over.

The PRESIDING OFFICER. The bill will be passed over.

EDUCATIONAL ASSISTANCE ON FEDERAL RESERVATIONS

The bill (H. R. 3329) to provide assistance for local school agencies in providing educational opportunities for children on Federal reservations or in de-

fense areas, and for other purposes, was announced as next in order.

Mr. HENDRICKSON. May we have an explanation of the bill? It is highly important.

Mr. THOMAS of Utah. Mr. President, this bill in effect is a continuation of what is called the Thomas-Lanham Act, which provided for schools in defense areas throughout the country. The areas are still in existence, and we are asking for another year's extension of the law. The bill has passed the House of Representatives. Most serious consideration has been given to it. It is one of vital importance to some 350,000 school children, and it affects 175 school districts throughout the country. The program will end on July 30, 1950.

I know of no emergency legislation in relation to education in the whole country quite so pressing as this particular bill. Everyone knows that when we started building defense plants we sometimes put them in places where schools and other facilities were not available, and the school districts have had to take on extra burdens. This is a relief bill for those districts, and to take care of something which happened as a result of the defense efforts during the war.

Mr. MORSE. Mr. President, I wish to associate myself with the remarks of the Senator from Utah. I served on the subcommittee which took the testimony on the bill. School superintendents and also members of school boards from various parts of the country appeared before the committee and gave us evidence which left no room for doubt, so far as the committee was concerned, of the necessity of the enactment of the bill as an emergency measure to take care of the lack of facilities under which children are suffering in the areas where the Federal projects are located. I sincerely hope that the Senate will see its way clear to pass the bill today.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

CONVEYANCE OF LAND TO PALM BEACH COUNTY, FLA.

The Senate proceeded to consider the bill (H. R. 2517) directing the Secretary of the Interior to convey certain land to Palm Beach County, Fla.

Mr. HENDRICKSON. Mr. President, I send to the desk two very simple amendments which I understand have the approval of the sponsor of the bill.

The PRESIDING OFFICER. The clerk will state the amendments.

The LEGISLATIVE CLERK. On page 1, line 4, after the word "lands", it is proposed to insert "for use by said county for recreational or park purposes."

On page 1, after line 9, strike out section 2, as follows:

SEC. 2. The land shall be sold at a price to be fixed by the Secretary of the Interior through appraisal, or otherwise.

And insert in lieu thereof:

SEC. 2. Such lands shall be sold at a price not less than 50 percent of the appraised fair market value as determined by the Secretary of the Interior: *Provided*, That title

to such lands shall revert to the United States upon payment of the purchase price to said county upon a finding by the Secretary of the Interior that for a period of five consecutive years such land has not been used by said county for recreational or park purposes, or that such land or any part thereof is being devoted to other use.

The amendments were agreed to.

The PRESIDING OFFICER. The question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

CONVEYANCE TO NEW YORK OF PROPERTY IN FORT NIAGARA STATE PARK

The bill (H. R. 4073) to provide for the conveyance to the State of New York of certain historic property situated within Fort Niagara State Park, and for other purposes, was announced as next in order.

Mr. MORSE. Mr. President, I should like to have an explanation of the bill.

Mr. IVES. Mr. President, this property involves seventy-four ten-thousandths of 1 acre. I think every Member of the Senate will appreciate that seventy-four ten-thousandths of 1 acre is just slightly under three-fourths of 1 percent of 1 acre.

This land is the site of a monument known as the Father Millet Cross National Monument, which was established at Fort Niagara State Park in New York State a number of years ago. The legislation is being offered at the request of the National Park Service. It seems that the Federal Government does not have the facilities to take care of property in the middle of the park, and this property, which is located in the middle of the park, is being neglected. The State of New York would like to obtain control of it so it can see that it is properly cared for. The Director of State Parks of the State of New York himself has requested that this authorizing legislation be enacted in order to permit the State of New York properly to act.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. MORSE. I have no objection. The statement made by the Senator from New York convinces me of the merits of the bill.

Mr. IVES. The Senator from New York thanks the distinguished Senator from Oregon.

There being no objection, the bill (H. R. 4073) to provide for the conveyance to the State of New York of certain historic property situated within Fort Niagara State Park, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

ADDITION OF SURPLUS LAND TO PETERSBURG NATIONAL MILITARY PARK, VA.

The bill (H. R. 4208) to add certain surplus land to Petersburg National Military Park, Va., to define the boundaries thereof, and for other purposes, was announced as next in order.

Mr. MORSE. Mr. President, may we have an explanation of the bill?

Mr. O'MAHONEY. Mr. President, the report which was filed on behalf of the Committee on Interior and Insular Affairs points out that this bill, which has already passed the House, authorizes the transfer by the Department of the Army to the Department of the Interior of approximately 206 acres of land to be included in the Petersburg National Military Park.

Mr. MORSE. Mr. President, I have no objection.

The PRESIDING OFFICER. Is there objection?

There being no objection, the bill (H. R. 4208) was considered, ordered to a third reading, read the third time, and passed.

COMPOSITION OF THE ARMY AND AIR FORCE OF THE UNITED STATES

The bill (H. R. 1437) to authorize the composition of the Army of the United States and the Air Force of the United States, and for other purposes, was announced as next in order.

Mr. HENDRICKSON. Mr. President, the mere title of the bill suggests that it is the type of legislation that should be given more consideration than we can give it under the 5-minute rule. Therefore I ask that it go over.

The PRESIDING OFFICER. The bill will be passed over.

Mr. HENDRICKSON subsequently said: Mr. President, I ask that the Senate return to Calendar 940, House bill 1437. I have been assured that that bill really validates many things which have been done by way of reorganization of the armed forces.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (H. R. 1437) to authorize the composition of the Army of the United States and the Air Force of the United States, and for other purposes, which had been reported from the Committee on Armed Services with amendments.

The amendments of the committee were, on page 1, line 5, after the word "Force", to insert "Authorization"; on page 3, line 3, after the word "only", to strike out "persons paid under the appropriations for the National Guard and Organized Reserve Corps,"; in line 5, after the word "personnel", to strike out "and units"; in line 8, after the word "exceed", to strike out "thirty-three thousand five hundred" and insert "thirty thousand six hundred"; in line 10, after the word "Regular", to strike out "Army, exclusive of the numbers authorized by law for the Army Nurse Corps and the Women's Medical Specialist Corps," and insert "Army (including commissioned officers of the Women's Army Corps, but exclusive of the numbers authorized by law for the Army Nurse Corps, the Women's Medical Specialist Corps, professors of the United States Military Academy, and any numbers authorized by special provisions of law providing for officers in designated categories as additional numbers)"; in line 23, after the word "words", to strike out "thirty-three thousand five hundred".

and insert "thirty thousand six hundred"; on page 4, line 6, after the word "of" where it occurs the second time, to strike out "seven hundred and fifty thousand" and insert "six hundred thousand"; in line 13, after the word "Corps", to strike out "a personnel strength of nine hundred and eighty thousand officers, warrant officers, and enlisted persons, excluding those serving on active duty in the Army of the United States who are counted within the personnel strength of eight hundred and thirty-seven thousand authorized in subsection (a) of this section" and insert "such personnel strength as is necessary to form the basis for complete and immediate mobilization for the national defense in the event of a national emergency"; in line 22, after the word "the", to strike out "Officers" and insert "Organized"; on page 5, line 3, after the word "and", to strike out "facilities, including guided missiles," and insert "facilities"; after line 20, to strike out:

APPROPRIATION AUTHORIZATION

SEC. 105. There are hereby authorized to be appropriated, out of any moneys in the Treasury of the United States not otherwise appropriated, such sums of moneys as may be necessary to carry out the purposes of this title. Except as may otherwise be provided in the appropriation act concerned, (1) any moneys appropriated to carry out the purposes of section 103 of this act shall remain available for obligation during the fiscal year for which appropriated and for the succeeding fiscal year, and shall remain available for expenditure for a total of 5 years; and (2) any moneys appropriated to carry out the purposes of section 104 of this act shall remain available until expended.

On page 6, line 13, after "Sec. 201", to strike out "(a)"; in line 20, after the word "Air", to insert "Force"; in line 21, after the word "Air", to insert "Force"; on page 7, after line 2, to strike out:

AUTHORIZED COMPOSITION

(b) The Air Force of the United States shall have an authorized strength of 70 United States Air Force groups, 22 separate United States Air Force squadrons, and 61 Air Force reserve groups, together with necessary supporting and auxiliary United States Air Force and reserve units.

In line 17, after the word "purposes", to strike out "only, persons paid under the appropriations for the Air National Guard and United States Air Force Reserve," and insert "only"; in line 19, after the word "personnel", to strike out "and units"; in line 23, after the word "exceed", to strike out "twenty-seven thousand five hundred" and insert "twenty-two thousand four hundred, exclusive of numbers authorized for the Air Force Nurse Corps, the Air Force Women's Medical Specialist Corps, and any numbers authorized by special provision of law providing for officers in designated categories as additional numbers"; on page 8, line 11, after the word "of", to strike out "one hundred thousand" and insert "one hundred and fifty thousand"; in line 12, after the word "persons", to strike out "including those members of the Air National Guard of the United States serving on active duty in the Air Force of the United States who are not" and insert "excluding those serving on active duty in the Air Force of the United

States who are"; in line 20, after the word "Reserve", to strike out "a personnel strength of five hundred thousand officers, warrant officers, and enlisted persons, including those members of the United States Air Force Reserve on active duty in the Air Force of the United States who are not counted within the personnel strength of the five hundred and two thousand authorized in subsection (a) of this section" and insert "such personnel strength as is necessary to form the basis for complete mobilization for the national defense in the event of a national emergency"; on page 9, line 19, after the word "authorized", to insert "(1)"; in the same line, after the word "procure", to strike out "(1) five thousand two hundred aircraft or forty-two thousand five hundred airframe tons annually, whichever amount the Secretary of the Air Force may determine is more appropriate, to provide"; in line 25, after the word "obsolete", to insert "and"; in the same line, after "(2)", to strike out "guided missiles, and (3)" and insert "to procure the"; on page 10, line 2, after the word "of", to strike out "aircraft and guided missiles herein authorized" and insert "the Air Force of the United States"; after line 10, to strike out:

APPROPRIATIONS AND AUTHORIZATIONS

SEC. 206. There are hereby authorized to be appropriated, out of any moneys in the Treasury of the United States not otherwise appropriated, such sums of money as may be necessary to carry out the purposes of this title. Moneys appropriated to carry out the purposes of sections 204 and 205 of this title shall remain available until expended.

In line 20, to change the section number from "207" to "206"; on page 11, line 2, to change the section number from "208" to "207"; in line 9, before the word "Departments", to insert "military"; in the same line, after the words "of the", to strike out "National Military Establishment" and insert "Department of Defense"; in line 11, after the numerals "1947", to insert "as amended"; in the same line, after the amendment just above stated, to strike out "(Public Law 253, Eightieth Congress)"; after line 18, to insert:

APPROPRIATIONS

SEC. 303. (a) There are hereby authorized to be appropriated, out of any moneys in the Treasury of the United States not otherwise appropriated, such sums as may be necessary to carry out the purposes of this act.

(b) Moneys appropriated to the Departments of the Army, Navy, or Air Force for procurement of technical military equipment and supplies, the construction of public works, and for research and development shall remain available until expended unless otherwise provided in the appropriation act concerned.

And on page 12, after line 4, to insert:

LIMITATION OF AUTHORITY

SEC. 304. Nothing contained in this act shall be construed to authorize the Department of Defense to expend any money appropriated pursuant to authority conferred by this act for the design, development, testing, tooling, modification, construction, or procurement of any transport or cargo aircraft intended primarily for commercial use, whether or not such aircraft may be adaptable for auxiliary military service.

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill (H. R. 1437) was read the third time, and passed.

AMENDMENT OF ATOMIC ENERGY ACT OF 1946—BILL PASSED OVER

The bill (S. 2372) to amend the Atomic Energy Act of 1946 was announced as next in order.

Mr. THOMAS of Oklahoma. Mr. President, at the request of the senior Senator from Tennessee [Mr. McKellar] I ask that the bill go over temporarily.

The PRESIDING OFFICER. The bill will be passed over.

Mr. McMAHON. Mr. President, will the Senator withhold his objection until I make a brief statement for the RECORD?

Mr. THOMAS of Oklahoma. Certainly.

Mr. McMAHON. Mr. President, Senate bill 2372, a bill to amend the Atomic Energy Act of 1946, provides for the appointment of a chairman of the military liaison committee. In the original act there was no provision for a chairman. The bill provides that the chairman shall be designated by the President and confirmed by the Senate. It also provides that he shall be paid the same salary as the Chairman of the Munitions Board, which is at present \$14,000 a year. The other feature of the bill is to provide for representation on the military liaison committee by members of the Air Force. That is all there is to the bill. It was reported both to the House and to the Senate from the Joint Committee on Atomic Energy, with the unanimous approval of the joint committee.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. McMAHON. I yield.

Mr. KNOWLAND. Speaking as one of the minority members of that committee, I simply want to join in the remarks of the chairman of the Joint Committee on Atomic Energy and say that the bill was reported unanimously after a study by the joint committee.

Mr. McMAHON. I hope that perhaps on the next call of the calendar the objection will be withdrawn.

Mr. THOMAS of Oklahoma. Mr. President, the senior Senator from Tennessee was in the Chamber a moment ago. He said he had to go away for 15 or 20 minutes, and asked that if the bill was reached before he returned, that it be passed over.

The PRESIDING OFFICER. The bill will be passed over temporarily.

Mr. THOMAS of Oklahoma. As soon as the Senator from Tennessee returns I shall ask him to consult with the Senator from Connecticut.

AMENDMENT OF RULE XXIX

The Senate proceeded to consider the resolution (S. Res. 95) to amend rule XXIX by requiring committee reports on measures repealing or amending a statute to show changes in existing law, was announced as next in order.

Mr. HAYDEN. Mr. President, this amendment of the rules was unani-

[PUBLIC LAW 306—81ST CONGRESS]

[CHAPTER 582—1ST SESSION]

[H. R. 3829]

AN ACT

To provide assistance for local school agencies in providing educational opportunities for children on Federal reservations or in de ense areas, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to assist local school agencies in providing educational opportunities for children residing (a) on Federal reservations or on other federally owned property, or (b) within the boundaries of local school agencies overburdened financially by defense-incurred school enrollments or reductions in the school revenues resulting from the acquisition or ownership of land by the United States, the General Services Administrator is authorized to make contributions to such local school agencies for the operation and maintenance of their school facilities as provided in this Act.

SEC. 2. The total contributions for any school year to any local school agency overburdened financially by a defense-incurred school enrollment or reductions in school revenues caused by the acquisition or ownership of land by the United States shall not exceed the actual deficit, as determined by said Administrator that without such contribution would be incurred in such school year by the local school agency in the operation and maintenance of its school facilities: *Provided, however,* That in determining such deficit the said Administrator shall take into consideration the total income of the local school agency actually available for the maintenance and operation of its school facilities in such school year and the total costs incurred by the local school agency in such school year for the maintenance and operation of its school facilities.

SEC. 3. There is hereby authorized to be appropriated for the fiscal year ending June 30, 1950, \$7,500,000 to carry out the purposes of this Act.

SEC. 4. In the administration of this Act, no department, agency, officer, or employee of the United States shall exercise any supervision, direction, or control over the personnel, curriculum, or program of instruction of any school, local school agency, or school system of any State.

SEC. 5. The said Administrator is authorized to prescribe such rules and regulations as may be necessary to carry out the provisions of this Act, and to make payments in advance, or in any other manner deemed necessary to accomplish the objectives of this Act.

SEC. 6. As used in this Act, the term "local school agency" means any public school district, county, city, town, political subdivision, public agency, or State agency operating and maintaining public school facilities; the term "State" means any State, Alaska, Hawaii, Puerto Rico, or the Virgin Islands.

Approved September 10, 1949.

